



The Judiciary

FY 2018

Congressional Budget Summary

Revised



PREPARED BY
THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS
WASHINGTON, DC
June 2017

Foreword

Overview

The Judiciary's FY 2018 revised discretionary budget request of \$7.19 billion is a 3.8 percent increase over the Judiciary's FY 2017 appropriation of \$6.93 billion, and is \$35 million below the Judiciary's original budget request transmitted in March 2017. Our revised request is based on final FY 2017 appropriations, updated pay and non-pay inflation factors, and other technical adjustments.

The Judicial Conference is grateful for the support of Congress in this difficult and constrained fiscal environment; however, we remain concerned about the potential for steep cuts to FY 2018 non-defense discretionary spending that could impact Judiciary funding. Our constitutional system of government, with separation of powers and checks and balances, cannot function as intended if the judicial branch is insufficiently resourced. We ask that Congress take into account the nature and importance of the work of the federal courts and continue to make the Judiciary a funding priority.

FY 2017 Priorities

The FY 2017 enacted funding levels will enable the Judiciary to maintain current services across the Judiciary and will enable investment in important program initiatives to support judicial operations.

For the courts' Salaries and Expenses account, the enacted funding level will allow the court units to maintain on-board staffing levels and continue to fill critical vacancies needed to meet workload demands, particularly in probation offices. In addition, the enacted funding level will allow the Judiciary to continue to strengthen its cybersecurity capabilities in the wake of the Office of Personnel Management's 2015 cyber incident. Cybersecurity is the Judiciary's top administrative priority. Ensuring that the Judiciary's mission-critical systems and information are adequately protected requires additional investments now and in the future. A number of information technology (IT) security-related initiatives are planned or already underway, and a number of studies have been completed and are being reviewed to assess and provide recommendations on several security toolsets.

For the Defender Services account, the enacted funding levels will support all projected panel attorney payments; a \$2 increase above a cost of living adjustment (COLA) to the hourly non-capital panel attorney rate; the continued implementation of

the federal defender organization staffing formula; new positions for defender services activities not covered by the staffing formula; and cybersecurity enhancements.

For the Court Security account, the enacted funding level will maintain adequate security services while also allowing for security enhancements at our courthouses. This includes funding to hire additional court security officers as part of the multi-year implementation of a new U.S. Marshals Service (USMS) staffing standard to increase the number of officers by 346. Finally, the enacted funding levels will support all projected costs for petit and grand jurors.

FY 2018 Revised Budget Request

The FY 2018 revised budget request will maintain current services across the Judiciary, sustain progress on several major ongoing initiatives, and fund a number of new investments in judicial operations and infrastructure.

For the courts' Salaries and Expenses account, the Judiciary requests \$5.15 billion, an increase of \$145.9 million (2.9 percent) in discretionary appropriations over the FY 2017 enacted level. This request funds a number of critical facilities-related investments, including \$1.8 million for infrastructure requirements associated with the new courthouse construction funding Congress provided to the General Services Administration (GSA) in FY 2016; \$10 million for continued implementation of the Judiciary's national space reduction program; and \$10 million for emergency repairs to the façade of the Thurgood Marshall Federal Judiciary Building. The request also maintains base funding for ongoing Judiciary cybersecurity activities.

For the Defender Services account, the Judiciary requests \$1.12 billion, an increase of \$78.0 million (7.5 percent) over the FY 2017 enacted level. This request includes sufficient funding to support the projected number of representations for FY 2018. The request also includes funding for panel attorneys to receive COLAs and for a \$6 per hour above-COLA increase to the non-capital panel attorney hourly rate (from \$135 per hour to \$141 per hour) to narrow the gap between the current rate and the statutorily authorized maximum, as well as \$7.4 million for IT and cybersecurity requirements.

The Judiciary's request also includes \$587.6 million for Court Security, an increase of \$22.2 million (3.9 percent) over the enacted FY 2017 level, to protect judges, court staff, and the public at court facilities. This funding will support additional security-related IT maintenance and enhancements, including \$7.1 million for security systems and screening equipment at new federal courthouse projects planned in Charlotte, NC; Savannah, GA; and Greenville, SC. The request also includes \$0.5 million for five new

positions (3 FTEs) at the USMS dedicated to support the Physical Access Control Systems program.

For the Fees of Jurors account, the Judiciary seeks \$50.9 million, an increase of \$11.0 million (27.6 percent) over the FY 2017 enacted level. The FY 2018 request is sufficient to fund all projected juror requirements and includes a \$10 increase to the daily juror attendance fee (from \$40 to \$50), the first such increase since 1990.

Courthouse Construction and Capital Security Improvements

The Judiciary's courthouse construction and capital security projects are funded from the GSA's budget. For FY 2018, the Judiciary is focused on effectively managing the eight courthouse projects and two joint courthouse/federal building projects whose construction costs were fully funded in FY 2016. In addition, the Judiciary has updated its Courthouse Project Priorities plan to reflect its highest construction priorities for FY 2018: Harrisburg, PA; Huntsville, AL; and Fort Lauderdale, FL.

For the Capital Security Program, the Judiciary requests that Congress provide GSA \$20.0 million in FY 2018 for additional capital security projects to ameliorate security deficiencies in existing courthouse buildings where physical renovations are viable in lieu of construction of a new courthouse. The stable and consistent funding of these projects is crucial to addressing serious security risks that threaten the safety of the Judiciary and the public.

Cost Containment

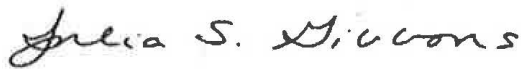
The Judiciary's aggressive cost-containment efforts have achieved cost savings and cost avoidance for over a decade and will continue to do so. These efforts focus on the areas that may have the greatest impact on long-term savings, including GSA space rent, personnel expenses, information technology,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

The Judiciary continues to make strides toward its goal of reducing its space footprint by three percent by the end of FY 2018. As of March 2017, approximately 706,000 usable square feet (USF) of space has been removed from the GSA rent bill, which equates to an annual rent avoidance of more than \$19.7 million. This represents 81 percent of the Judiciary's space reduction target of 870,305 USF. Projects currently underway are expected to yield additional space reduction enabling the Judiciary to exceed the 3 percent goal by an estimated 250,000 USF.

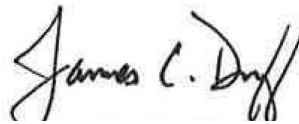
In addition, a joint Judiciary/GSA Service Validation Initiative (SVI) works in tandem with the Judiciary's space reduction program on reducing costs by focusing on evaluating and achieving improvements in the services that the Judiciary receives from the GSA. SVI has fostered an increase in collaboration and commitment to success between the Judiciary and GSA. As a result of SVI, space and facilities-related issues will be resolved more efficiently and at a lower cost.

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

The Judiciary's FY 2018 revised discretionary budget request of \$7.19 billion is summarized in the following pages.



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



James C. Duff
Director, Administrative Office
of the United States Courts
Secretary, Judicial Conference of the United States

Table of Contents

	Page
Foreword	i
Overview of the Judiciary	1
FY 2018 Budget Summary - Details of Request	5
Summary Tables	
Judiciary Appropriation Funding for FY 2016 - FY 2018	9
Summary of FTE for FY 2016 - FY 2018	10
FY 2018 Summary of Requested Changes	11
FY 2018 Request Summary by Appropriation	
Supreme Court of the United States	
Salaries and Expenses	17
Care of the Building and Grounds	19
United States Court of Appeals for the Federal Circuit	23
United States Court of International Trade	25
Courts of Appeals, District Courts and Other Judicial Services (CADCOJS)	
Salaries and Expenses	27
Defender Services	35
Fees of Jurors and Commissioners	39
Court Security	43
Administrative Office of the United States Courts	47
Federal Judicial Center	49
United States Sentencing Commission	51
Title III Administrative Provisions – The Judiciary	53
Judicial Retirement Funds	57
Judiciary Space Priorities for the FY 2018 Budget Request	
Courthouse Construction	61
Capital Security Program	63

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

The United States Court of Appeals for the Federal Circuit

The United States Court of Appeals for the Federal Circuit has exclusive national jurisdiction over a large number of diverse subject areas, including international trade, government contracts, patents, trademarks, certain money claims against the United States government, federal personnel, and veterans' benefits. Appeals to the court come from all 94 federal district courts, as well as the United States Court of Federal Claims, the United

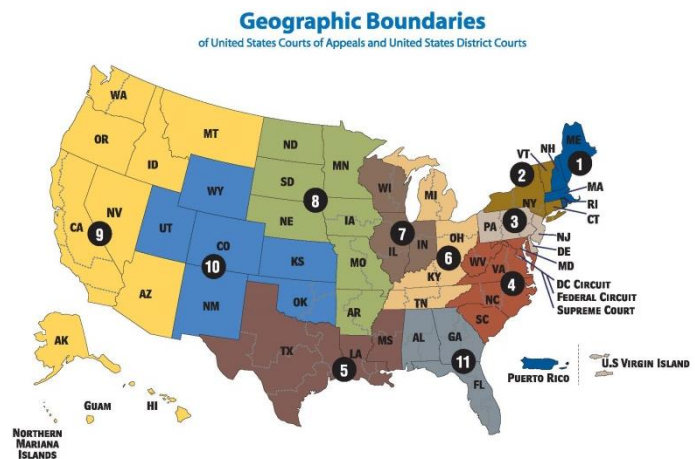


States Court of International Trade, and the United States Court of Appeals for Veterans Claims. There are 12 authorized Article III circuit judgeships nationwide.

United States District Courts

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

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



United States Bankruptcy Courts

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

United States Court of International Trade

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

United States Court of Federal Claims

The Court of Federal Claims has nationwide jurisdiction over certain types of claims against the federal government. Its 16 judges are appointed for a term of 15 years by the President



with the advice and consent of the Senate. Judges appointed to the Court of Federal Claims are authorized under Article I of the constitution and do not have the tenure and salary protections of Article III judges.

Probation and Pretrial Services

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

Defender Services

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

Court Security

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

Fees of Jurors and Commissioners

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

Administrative Office of the U.S. Courts

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

Federal Judicial Center

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

Payment to Judicial Retirement Funds

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

United States Sentencing Commission

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



Budget Summary – Details of Request

The judiciary's revised appropriation request for FY 2018 totals \$7,819,070,000 (including \$625,913,000 in mandatory appropriations and \$7,193,157,000 in discretionary appropriations), an increase of \$310,301,000, or 4.1 percent, over the FY 2017 appropriations. Of that increase, \$44,104,000 is for mandatory appropriations (7.6 percent increase) and \$266,197,000 is for discretionary appropriations (3.8 percent increase).

Adjustments to Base (Mandatory Appropriations)

A \$44.1 million increase is requested for mandatory judiciary appropriations, as follows:

1. An increase of \$26.7 million is required for the judiciary retirement trust funds accounts based on requirements calculated by an independent actuary.
2. An increase of \$9.3 million is associated with an additional 19 senior judges FTE, an additional 18 active Article III judges FTE, and an additional 4 bankruptcy judges FTE.
3. An increase of \$8.1 million is for pay adjustments for Article III judges for the Supreme Court, the Court of Appeals for the Federal Circuit, the Court of International Trade, and Article III and bankruptcy judges for the courts' S&E account, including the annualization of the FY 2017 pay adjustment, a proposed January 2018 pay adjustment, and changes in benefits costs.

Adjustments to Base (Discretionary Appropriations)

A total of \$219.7 million (82.5 percent) of the requested \$266.2 million discretionary increase will provide for pay adjustments, inflation and other adjustments to base necessary to maintain current services.

Base adjustments include:

1. An increase of \$143.0 million will provide for inflationary pay and benefit rate increases for magistrate and claims judges, judges' staff, and supporting personnel. This includes annualizing the January 2017 pay adjustment, a proposed January 2018 pay adjustment of 1.9 percent consistent with the President's proposal for

federal workers, changes in benefit costs, cost-of-living rate increases for panel attorneys, and a wage rate adjustment for court security officers.

2. An increase of \$29.8 million is necessary to replace non-appropriated sources of funds used in FY 2017 to support defender services and juror base requirements with direct appropriations. The judiciary will keep the Appropriations Subcommittees informed of any change in this estimate.
3. An increase of \$21.9 million is associated with an additional 63 senior judges' staff, an additional 91 active Article III judges' staff, and an additional 14 bankruptcy judges' staff.
4. An increase of \$19.0 million will provide for increases in contract rates and other standard inflationary increases.
5. An increase of \$17.1 million will provide for the annualization of 100 federal defender organization (FDO) positions, 9 defender national positions, 14 Criminal Justice Act panel management positions, 3 staff at the U.S. Sentencing Commission, and 69 additional court security officer positions funded in FY 2017.
6. An increase of \$4.1 million for the courts' S&E account is due to ongoing information technology (IT) requirements to support current operations as well as upgrades and enhancements to the judiciary's integrated financial management, human resources, rent and property management systems, telecommunications, case management systems and cyber security capabilities. In addition, this increase provides funding for operations and maintenance activities; court automation support; and infrastructure support for national IT applications.
7. An increase of \$2.1 million will provide for the additional costs associated with FDO contracts and needed training for FDO staff.
8. An increase of \$2.0 million will provide for additional costs associated with the Vaccine Injury program. These include personnel and related costs due to an increased caseload, as well as for standard pay and non-pay inflationary adjustments.
9. An increase of \$1.6 million will provide for estimated increases in Federal Protective Service (FPS) security charges, based on rates established by FPS.

10. An increase of \$1.0 million is associated with a projected net change in juror costs.
11. A net decrease of \$18.8 million is associated with \$19.0 million in rent savings due to a new GSA pricing policy on tenant floor cuts and \$26.9 million in other space-related reductions, partially offset by increases of \$5.2 million for the annualization of new space delivered in FY 2017, \$1.1 million for new space expected to be delivered in FY 2018, and \$20.8 million for space-related inflation.
12. A decrease of \$1.1 million is for non-recurring costs associated with contracts for the development of new treatment curricula as part of the Evidence-Based Practices program.
13. A net decrease of \$1.2 million is associated with adjustments to court security systems and equipment requirements.
14. A decrease of \$0.9 million is due to a decline in panel attorney payment requirements for the Defender Services program.
15. An increase of 46 FTEs is associated with the transition from a Community Defender Organization (CDO) in the Western District of North Carolina to a Federal Public Defender Organization (FPDO). No additional funds for this transition are required because base funding associated with the CDO is available to support the FPDO in FY 2018.

Program Increases (Discretionary Appropriations)

The remaining \$46.5 million (17.5 percent) of the requested increase is for program enhancements including:

1. An increase of \$10.0 million is for one-time costs to implement additional space reduction projects.
2. An increase of \$10.0 million is for repairs to the Thurgood Marshall Federal Judiciary Building (TMFJB) façade to address serious safety issues.
3. An increase of \$8.8 million will support information technology, swing space, and security requirements for new courthouse construction projects.

4. An increase of \$5.1 million is for an increase to the daily juror attendance rate from \$40 to \$50.
5. An increase of \$3.8 million is for cybersecurity requirements consisting of \$0.3 million and one position (1 FTE) for the Court of Appeals for the Federal Circuit and \$3.5 million for Defender Services.
6. An increase of \$3.9 million is for information technology requirements to support the Defender Services program.
7. An increase of \$1.8 million will provide for a \$6 hourly rate increase above inflation, from \$135 to \$141 per hour, for non-capital panel attorney cases, effective January 2018.
8. An increase of \$0.7 million will support one additional magistrate judge (1 FTE), three support staff (3 FTE), and associated operating costs for Williamsport, PA.
9. An increase of \$0.8 million will support two positions (1 FTE) and maintenance and infrastructure upgrade requirements for Supreme Court facilities.
10. An increase of \$0.5 million is for five positions (3 FTEs) at the U.S. Marshals Service (USMS) dedicated to support the Physical Access Control System (PACS) program.
11. An increase of \$0.5 million is for the Facilities Access Card (FAC) sustainment project.
12. An increase of \$0.5 million will provide additional funding for the development of a replacement for the Judicial Security Management and Reporting Tool (JSMART), which is the USMS' information technology system for managing security resources at court facilities.

Summary Tables

THE JUDICIARY									
Judiciary Appropriation Funding (\$000)									
Appropriation Account	FY 2016 Enacted			FY 2017 Appropriation			FY 2018 Request		
	Mandatory ¹	Discretionary	Total	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	2,562	75,838	78,400	2,611	76,668	79,279	2,660	78,669	81,329
Building and Grounds	-	9,964	9,964	-	14,868	14,868	-	16,153	16,153
Total, U.S. Supreme Court	2,562	85,802	88,364	2,611	91,536	94,147	2,660	94,822	97,482
Court of Appeals for the Federal Circuit	2,890	30,872	33,762	2,954	30,108	33,062	3,001	31,252	34,253
Court of International Trade	1,178	18,160	19,338	2,034	18,462	20,496	2,074	18,664	20,738
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	400,715	4,918,969	5,319,684	405,910	4,996,445	5,402,355	423,178	5,140,591	5,563,769
Vaccine Injury Trust Fund	-	6,050	6,050	-	6,510	6,510	-	8,230	8,230
Total, Salaries and Expenses	400,715	4,925,019	5,325,734	405,910	5,002,955	5,408,865	423,178	5,148,821	5,571,999
Defender Services	-	1,004,949	1,004,949	-	1,044,647	1,044,647	-	1,122,659	1,122,659
Fees of Jurors & Commissioners	-	44,199	44,199	-	39,929	39,929	-	50,944	50,944
Court Security	-	538,196	538,196	-	565,388	565,388	-	587,608	587,608
Subtotal, CADCOJS	400,715	6,512,363	6,913,078	405,910	6,652,919	7,058,829	423,178	6,910,032	7,333,210
Administrative Office of the U.S. Courts	-	85,665	85,665	-	87,500	87,500	-	90,423	90,423
Federal Judicial Center	-	27,719	27,719	-	28,335	28,335	-	29,265	29,265
Judicial Retirement Funds	155,400	-	155,400	168,300	-	168,300	195,000	-	195,000
United States Sentencing Commission	-	17,570	17,570	-	18,100	18,100	-	18,699	18,699
Total Direct	562,745	6,772,101	7,334,846	581,809	6,920,450	7,502,259	625,913	7,184,927	7,810,840
Vaccine Injury Trust Fund	-	6,050	6,050	-	6,510	6,510	-	8,230	8,230
Total, Judiciary	562,745	6,778,151	7,340,896	581,809	6,926,960	7,508,769	625,913	7,193,157	7,819,070

¹ FY 2016 mandatory levels reflect actuals, with the exception of Supreme Court which reflects the FY 2016 financial plan level.

THE JUDICIARY									
Summary of FTE									
Appropriation Account	FY 2016 Enacted			FY 2017 Appropriation			FY 2018 Request		
	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	9	479	488	9	488	497	9	488	497
Building and Grounds	-	39	39	-	50	50	-	51	51
Total, U.S. Supreme Court	9	518	527	9	538	547	9	539	548
Court of Appeals for the Federal Circuit	12	133	145	12	139	151	12	140	152
Court of International Trade	6	51	57	9	71	80	9	71	80
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	1,783	26,069	27,852	1,772	26,163	27,935	1,813	26,335	28,148
Vaccine Injury Trust Fund	-	-	-	-	-	-	-	-	-
Total, Salaries and Expenses	1,783	26,069	27,852	1,772	26,163	27,935	1,813	26,335	28,148
Defender Services	-	2,746	2,746	-	2,873	2,873	-	2,980	2,980
Fees of Jurors & Commissioners	-	-	-	-	-	-	-	-	-
Court Security	-	59	59	-	70	70	-	73	73
Subtotal, CADCOJS	1,783	28,874	30,657	1,772	29,106	30,878	1,813	29,388	31,201
Administrative Office of the U.S. Courts	-	586	586	-	621	621	-	621	621
Federal Judicial Center	-	127	127	-	125	125	-	125	125
Judicial Retirement Funds	-	-	-	-	-	-	-	-	-
United States Sentencing Commission	-	95	95	-	95	95	-	96	96
Total Judiciary (Direct)	1,810	30,384	32,194	1,802	30,695	32,497	1,843	30,980	32,823

FY 2018 Summary of Requested Changes								
	Supreme Court		Federal Circuit		International Trade		Total CADCOJS	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTEs	(\$000)
FY 2017 Appropriation - Mandatory	9	2,611	12	2,954	9	2,034	1,772	405,910
FY 2017 Appropriation - Discretionary	538	91,536	139	30,108	71	18,462	29,106	6,646,409
FY 2017 Vaccine Injury Trust Fund	-	-	-	-	-	-	-	6,510
FY 2017 Available Appropriation	547	94,147	151	33,062	80	20,496	30,878	7,058,829
FY 2018 Adjustments to Base								
Judges:								
- Pay and benefit cost adjustments	-	49	-	47	-	40	-	10,828
- Additional senior judges	-	-	-	-	-	-	82	11,738
- Increase in average number of filled Article III judges	-	-	-	-	-	-	109	16,901
- Increase in average number of filled bankruptcy judges	-	-	-	-	-	-	18	2,608
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-
Court Personnel								
- Pay and benefit cost adjustments	-	1,871	-	533	-	302	-	123,723
- Annualization of Defender Services positions added in FY 2017	-	-	-	-	-	-	61	14,060
- Annualization of positions funded in fiscal year 2017	-	-	-	-	-	-	-	-
- Panel attorney base decrease	-	-	-	-	-	-	-	(868)
- Transition from a CDO to a FPDO in the Western District of North Carolina	-	-	-	-	-	-	46	-
Other Changes								
- Funding necessary to maintain current services	-	-	-	-	-	-	-	29,766
- Inflation (non-space-related)	-	432	-	221	-	50	-	16,912
- Implementation of new DC water utility fees	-	158	-	-	-	-	-	-
- Vaccine Injury Trust Fund adjustment	-	-	-	-	-	-	-	1,970
- Space related costs (includes inflation for space rental rates)	-	-	-	91	-	(158)	-	(17,852)
- Information technology requirements	-	-	-	-	-	-	-	4,114
- Change in projected workload	-	-	-	-	-	-	-	2,124
- Change in available jurors	-	-	-	-	-	-	-	1,017
- FPS security service charges	-	-	-	-	-	8	-	1,596
- FY 2018 court security officer wage adjustments	-	-	-	-	-	-	-	9,738
- Annualization of court security officer positions (69)	-	-	-	-	-	-	-	2,913
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	(1,245)
- Evidence-based practices (non-recurring requirements)	-	-	-	-	-	-	-	(1,069)
Subtotal, FY 2018 Adjustments to Base	-	2,510	-	892	-	242	316	228,974
<i>Total Adjustments to Base, Mandatory</i>	-	49	-	47	-	40	41	17,268
<i>Total Adjustments to Base, Discretionary</i>	-	2,461	-	845	-	202	275	211,706
FY 2018 Adjusted Base	547	96,657	151	33,954	80	20,738	31,194	7,287,803
FY 2018 Program Increases								
Judges:								
- Magistrate judges and staff	-	-	-	-	-	-	4	653
Court Personnel and Programs:								
- Two new positions for Supreme Court facilities	1	123	-	-	-	-	-	-
- Web control technology system	-	136	-	-	-	-	-	-
- Replace steam convactor valves	-	116	-	-	-	-	-	-
- Interior courtyard stone cleaning and restoration	-	(4,800)	-	-	-	-	-	-
- Electrical resiliency phase 1	-	5,250	-	-	-	-	-	-
- Additional national space reduction program projects	-	-	-	-	-	-	-	10,000
- Thurgood Marshal Federal Judiciary Building façade	-	-	-	-	-	-	-	10,000
- Non-capital panel attorney hourly rate increase (\$135 to \$141)	-	-	-	-	-	-	-	1,843
- Cybersecurity requirements	-	-	1	299	-	-	-	3,490
- Information Technology requirements	-	-	-	-	-	-	-	3,947
- Infrastructure for new courthouses	-	-	-	-	-	-	-	8,849
- Increase to daily juror rate from \$40 to \$50 effective January 2018	-	-	-	-	-	-	-	5,115
- Physical access control systems (PACS) positions at USMS	-	-	-	-	-	-	3	510
- Facility Access Card (FAC) sustainment	-	-	-	-	-	-	-	500
- Judicial Security Management and Reporting Tool replacement	-	-	-	-	-	-	-	500
Subtotal, FY 2018 Program Increases	1	825	1	299	-	-	7	45,407
<i>Total Program Increases, Mandatory</i>	-	-	-	-	-	-	-	-
<i>Total Program Increases, Discretionary</i>	1	825	1	299	-	-	7	45,407
<i>Total Mandatory Increases</i>	-	49	-	47	-	40	41	17,268
<i>Total Discretionary Increases</i>	1	3,286	1	1,144	-	202	282	257,113
Total Increases Requested, FY 2018	1	3,335	1	1,191	-	242	323	274,381
Total Mandatory	9	2,660	12	3,001	9	2,074	1,813	423,178
Total Discretionary	539	94,822	140	31,252	71	18,664	29,388	6,910,032
FY 2018 Appropriation Request	548	97,482	152	34,253	80	20,738	31,201	7,333,210

FY 2018 Summary of Requested Changes

	Administrative Office		Fed. Judicial Center		Sentencing Commission		Judicial Retirement Funds	Total Judiciary	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)
FY 2017 Assumed Appropriation Level - Mandatory	-	-	-	-	-	-	168,300	1,802	581,809
FY 2017 Assumed Appropriation Level - Discretionary	621	87,500	125	28,335	95	18,100	-	30,695	6,920,450
FY 2017 Vaccine Injury Trust Fund	-	-	-	-	-	-	-	-	6,510
FY 2017 Available Appropriation	621	87,500	125	28,335	95	18,100	168,300	32,497	7,508,769
FY 2018 Adjustments to Base									
Judges:									
- Pay and benefit cost adjustments	-	-	-	-	-	-	-	-	10,964
- Additional senior judges	-	-	-	-	-	-	-	82	11,738
- Increase in average number of filled Article III judges	-	-	-	-	-	-	-	109	16,901
- Increase in average number of filled bankruptcy judges	-	-	-	-	-	-	-	18	2,608
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	26,700	-	26,700
Court Personnel									
- Pay and benefit cost adjustments	-	2,817	-	760	-	379	-	-	130,385
- Annualization of Defender Services positions added in FY 2017	-	-	-	-	-	-	-	61	14,060
- Annualization of positions funded in fiscal year 2017	-	-	-	-	1	113	-	1	113
- Panel attorney base decrease	-	-	-	-	-	-	-	-	(868)
- Transition from a CDO to a FPDO in the Western District of North Carolina	-	-	-	-	-	-	-	46	-
Other Changes									
- Funding necessary to maintain current services	-	-	-	-	-	-	-	-	29,766
- Inflation (non-space-related)	-	106	-	170	-	107	-	-	17,998
- Implementation of new DC water utility fees	-	-	-	-	-	-	-	-	158
- Vaccine Injury Trust Fund adjustment	-	-	-	-	-	-	-	-	1,970
- Space related costs (includes inflation for space rental rates)	-	-	-	-	-	-	-	-	(17,919)
- Information technology requirements	-	-	-	-	-	-	-	-	4,114
- Change in projected workload	-	-	-	-	-	-	-	-	2,124
- Change in available jurors	-	-	-	-	-	-	-	-	1,017
- FPS security service charges	-	-	-	-	-	-	-	-	1,604
- FY 2018 court security officer wage adjustments	-	-	-	-	-	-	-	-	9,738
- Annualization of court security officer positions (69)	-	-	-	-	-	-	-	-	2,913
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	-	(1,245)
- Evidence-based practices (non-recurring requirements)	-	-	-	-	-	-	-	-	(1,069)
Subtotal, FY 2018 Adjustments to Base	-	2,923	-	930	1	599	26,700	317	263,770
<i>Total Adjustments to Base, Mandatory</i>	-	-	-	-	-	-	26,700	41	44,104
<i>Total Adjustments to Base, Discretionary</i>	-	2,923	-	930	1	599	-	276	219,666
FY 2018 Adjusted Base	621	90,423	125	29,265	96	18,699	195,000	32,814	7,772,539
FY 2018 Program Increases									
Judges:									
- Magistrate judges and staff	-	-	-	-	-	-	-	4	653
Court Personnel and Programs:									
- Two new positions for Supreme Court facilities	-	-	-	-	-	-	-	1	123
- Web control technology system	-	-	-	-	-	-	-	-	136
- Replace steam convector valves	-	-	-	-	-	-	-	-	116
- Interior courtyard stone cleaning and restoration	-	-	-	-	-	-	-	-	(4,800)
- Electrical resiliency phase 1	-	-	-	-	-	-	-	-	5,250
- Additional national space reduction program projects	-	-	-	-	-	-	-	-	10,000
- Thurgood Marshal Federal Judiciary Building façade	-	-	-	-	-	-	-	-	10,000
- Non-capital panel attorney hourly rate increase (\$135 to \$141)	-	-	-	-	-	-	-	-	1,843
- Cybersecurity requirements	-	-	-	-	-	-	-	1	3,789
- Information Technology requirements	-	-	-	-	-	-	-	-	3,947
- Infrastructure for new courthouses	-	-	-	-	-	-	-	-	8,849
- Increase to daily juror rate from \$40 to \$50 effective January 2018	-	-	-	-	-	-	-	-	5,115
- Physical access control systems (PACS) positions at USMS	-	-	-	-	-	-	-	3	510
- Facility Access Card (FAC) sustainment	-	-	-	-	-	-	-	-	500
- Judicial Security Management and Reporting Tool replacement	-	-	-	-	-	-	-	-	500
Subtotal, FY 2018 Program Increases	-	-	-	-	-	-	-	9	46,531
<i>Total Program Increases, Mandatory</i>	-	-	-	-	-	-	-	-	-
<i>Total Program Increases, Discretionary</i>	-	-	-	-	-	-	-	9	46,531
<i>Total Mandatory Increases</i>	-	-	-	-	-	-	26,700	41	44,104
<i>Total Discretionary Increases</i>	-	2,923	-	930	1	599	-	285	266,197
Total Increases Requested, FY 2018	-	2,923	-	930	1	599	26,700	326	310,301
Total Mandatory	-	-	-	-	-	-	195,000	1,843	625,913
Total Discretionary	621	90,423	125	29,265	96	18,699	-	30,980	7,193,157
FY 2018 Appropriation Request	621	90,423	125	29,265	96	18,699	195,000	32,823	7,819,070

FY 2018 Summary of Requested Changes - Courts of Appeals, District Courts, and Other Judicial Services (CADCOJS) Details								
	Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners	Court Security		Total CADCOJS
	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)	FTEs (\$000)
FY 2017 Appropriation - Mandatory	1,772	405,910	-	-	-	-	-	1,772 405,910
FY 2017 Appropriation - Discretionary	26,163	4,996,445	2,873	1,044,647	39,929	70 565,388	29,106 6,646,409	
FY 2017 Vaccine Injury Trust Fund	-	6,510	-	-	-	-	-	6,510
FY 2017 Available Appropriation	27,935	5,408,865	2,873	1,044,647	39,929	70 565,388	30,878 7,058,829	
FY 2018 Adjustments to Base								
Judges:								
- Pay and benefit cost adjustments	-	10,828	-	-	-	-	-	10,828
- Additional senior judges	82	11,738	-	-	-	-	-	82 11,738
- Increase in average number of filled Article III judges	109	16,901	-	-	-	-	-	109 16,901
- Increase in average number of filled bankruptcy judges	18	2,608	-	-	-	-	-	18 2,608
Court Personnel								
- Pay and benefit cost adjustments	-	99,167	-	24,229	-	-	327	123,723
- Annualization of Defender Services positions added in FY 2017	-	-	61	14,060	-	-	-	61 14,060
- Panel attorney base decrease	-	-	-	(868)	-	-	-	(868)
- Transition from a CDO to a FPDO in the Western District of North Carolina	-	-	46	-	-	-	-	46 -
Other Changes								
- Funding necessary to maintain current services	-	-	-	25,350	4,416	-	-	29,766
- Inflation (non-space-related)	-	13,221	-	2,991	467	-	233	16,912
- Vaccine Injury Trust Fund adjustment	-	1,970	-	-	-	-	-	1,970
- Space related costs (includes inflation for space rental rates)	-	(18,796)	-	846	-	-	98	(17,852)
- Information technology requirements	-	4,114	-	-	-	-	-	4,114
- Change in projected workload	-	-	-	2,124	-	-	-	2,124
- Change in available jurors	-	-	-	-	1,017	-	-	1,017
- FPS security service charges	-	-	-	-	-	-	1,596	1,596
- FY 2018 court security officer wage adjustments	-	-	-	-	-	-	9,738	9,738
- Annualization of court security officer positions (69)	-	-	-	-	-	-	2,913	2,913
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	(1,245)	(1,245)
- Evidence-based practices (non-recurring requirements)	-	(1,069)	-	-	-	-	-	(1,069)
Subtotal, FY 2018 Adjustments to Base	209	140,682	107	68,732	5,900	- 13,660	316 228,974	
Total Adjustments to Base, Mandatory	41	17,268	-	-	-	-	-	41 17,268
Total Adjustments to Base, Discretionary	168	123,414	107	68,732	5,900	- 13,660	275 211,706	
FY 2018 Adjusted Base	28,144	5,549,547	2,980	1,113,379	45,829	70 579,048	31,194 7,287,803	
FY 2018 Program Increases								
Judges:								
- Magistrate judges and staff	4	653	-	-	-	-	-	4 653
Court Personnel and Programs:								
- Additional national space reduction program projects	-	10,000	-	-	-	-	-	10,000
- Thurgood Marshal Federal Judiciary Building façade	-	10,000	-	-	-	-	-	10,000
- Non-capital panel attorney hourly rate increase (\$135 to \$141)	-	-	-	1,843	-	-	-	1,843
- Cybersecurity requirements	-	-	-	3,490	-	-	-	3,490
- Information Technology requirements	-	-	-	3,947	-	-	-	3,947
- Infrastructure for new courthouses	-	1,799	-	-	-	-	7,050	8,849
- Increase to daily juror rate from \$40 to \$50 effective January 2018	-	-	-	-	5,115	-	-	5,115
- Physical access control systems (PACS) positions at USMS	-	-	-	-	-	3 510	3 510	
- Facility Access Card (FAC) sustainment	-	-	-	-	-	- 500	- 500	
- Judicial Security Management and Reporting Tool replacement	-	-	-	-	-	- 500	- 500	
Subtotal, FY 2018 Program Increases	4	22,452	-	9,280	5,115	3 8,560	7 45,407	
Total Program Increases, Mandatory	-	-	-	-	-	-	-	-
Total Program Increases, Discretionary	4	22,452	-	9,280	5,115	3 8,560	7 45,407	
Total Mandatory Increases	41	17,268	-	-	-	-	-	41 17,268
Total Discretionary Increases	172	145,866	107	78,012	11,015	3 22,220	282 257,113	
Total Increases Requested, FY 2018	213	163,134	107	78,012	11,015	3 22,220	323 274,381	
Total Mandatory	1,813	423,178	-	-	-	-	1,813 423,178	
Total Discretionary	26,335	5,148,821	2,980	1,122,659	50,944	73 587,608	29,388 6,910,032	
FY 2018 Appropriation Request	28,148	5,571,999	2,980	1,122,659	50,944	73 587,608	31,201 7,333,210	

FY 2018 Request

Summary by Appropriation



Supreme Court of the United States
Salaries and Expenses

	FY 2018 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2017 Appropriation	9	2,611	488	76,668	497	79,279
Adjustments to Base	-	49	-	2,001	-	2,050
FY 2018 Appropriation Request	9	2,660	488	78,669	497	81,329

The U.S. Supreme Court requests \$81.3 million (\$2.7 million for mandatory expenses and \$78.7 million for discretionary expenses) in FY 2018 for the Salaries and Expenses account.

The \$78.7 million request for discretionary appropriations represents a 2.6 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases in FY 2018.

I. Mandatory Adjustments to Base

The FY 2018 request includes \$49,000 for increases to standard pay and changes in benefits for the Chief Justice and the Associate Justices.

II. Discretionary Adjustments to Base

The Supreme Court requests a \$2.0 million increase for discretionary expenses in FY 2018 for standard pay and other inflationary adjustments.

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, [~~\$76,668,000~~]~~\$76,668,000~~\$78,669,000, 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.

(Financial Services and General Government Appropriations Act, 2017)



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

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	50	14,868
Adjustments to Base	-	460
Program Increases	1	825
FY 2018 Appropriation Request	51	16,153

The U.S. Supreme Court requests \$16.2 million for its Care of the Building and Grounds account in FY 2018, a 8.6 percent increase over the FY 2017 appropriation.

The Architect of the Capitol provides for the structural and mechanical care of the United States Supreme Court Building and Grounds, including maintenance and operation of mechanical, electrical, and electronic equipment. This request includes the necessary adjustments to base to maintain current services and program increases for two additional positions (1 FTE), parts and maintenance for the new Building Automation System (BAS), replacement of steam convector valves, and the first phase of an initiative to upgrade the Court’s electrical systems and critical infrastructure.

I. Discretionary Adjustments to Base

The Supreme Court requests an increase of \$0.5 million consisting of \$0.3 million for standard pay and other inflationary adjustments and \$0.2 million for DC water utility fees.

II. Program Increases

The FY 2018 budget request for the Building and Grounds account includes \$0.8 million for program increases.

1. Engineering Technician: \$74,000 and 0.5 FTE

The Court requests \$74,000 and 1 position (0.5 FTE) for the implementation, maintenance, and oversight of a building performance monitoring system that uses

increased technology through the BAS, Direct Digital Controls (DDC), and Utility Metering. Increased technology in the BAS, DDC, and Utility Metering necessitates additional and unique skills. The BAS monitors building performance across all systems (heating, ventilation, and air conditioning (HVAC), electrical, and utility metering) to maintain building operational set points (temperature and relative humidity). The proposed position will have the necessary computer programming, trending, and analytical evaluation expertise.

2. Direct digital controls specialist: \$49,000 and 0.5 FTE

The Court requests \$49,000 and 1 position (0.5 FTE) for a preventive maintenance program to perform troubleshooting and repair for the DDC equipment and software installed during the modernization. The proposed position will have the technical expertise to troubleshoot or restore and repair electronic sensing and control equipment in support of HVAC operations.

3. Web Control Technology System: \$0.1 million

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

4. Replace steam convector valves: \$0.1 million

The Court requests \$0.1 million for the replacement of the original 400 steam convectors, which are past their service life. This funding will replace 50 convectors per year on a cyclical basis and provide for annual maintenance and repair of components (gland seals, steam trap repair kits, control heads). The convectors, steam pipes and condensate lines are original building design/components and have not been modernized, overhauled or had any capital investments to the system since 1932.

5. Interior Courtyard Stone Cleaning and Restoration: -\$4.8 million

The FY 2018 request includes a decrease of \$4.8 million for non-recurring costs associated with the completion of stone cleaning and restoration work in the Court's interior courtyard.

6. *Electrical Resiliency Phase 1: \$5.3 million*

The Court requests \$5.3 million for the first phase of a two year project to upgrade the Court's electrical systems and other critical infrastructure. This project was necessitated by a series of recent unplanned electrical outages to the Court's primary data center and telecommunications systems.

III. Appropriations Language

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

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, [~~\$14,868,000~~]*\$16,153,000*, to remain available until expended.

(Financial Services and General Government Appropriations Act, 2017)



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

	FY 2018 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2017 Appropriation	12	2,954	139	30,108	151	33,062
Adjustments to Base	-	47	-	845	-	892
Program Increases	-	-	1	299	1	299
FY 2018 Appropriation Request	12	3,001	140	31,252	152	34,253

The Court of Appeals for the Federal Circuit requests \$34.3 million (\$3.0 million for mandatory expenses and \$31.3 million for discretionary expenses) for FY 2018.

The \$31.3 million request for discretionary appropriations represents a 3.8 percent increase over the FY 2017 discretionary appropriation. This request includes the necessary adjustments to base to maintain current services and a program increase for cybersecurity requirements.

I. Mandatory Adjustments to Base

The FY 2018 request includes \$47,000 for increases to standard pay and changes in benefits for judges.

II. Discretionary Adjustments to Base

The Court requests an increase of \$0.8 million for standard pay and other inflationary adjustments.

III. Program Increases

The FY 2018 request includes \$0.3 million and 1 FTE for cybersecurity requirements. The new cybersecurity position would be a cybersecurity/information security officer expert to support application and system security and enhance the court's regular IT security posture.

IV. Appropriations Language

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

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, [~~\$30,108,000~~]*\$31,252,000*.

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.

(Financial Services and General Government Appropriations Act, 2017)



United States Court of International Trade
Salaries and Expenses

FY 2018 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2017 Appropriation	9	2,034	71	18,462	80	20,496
Adjustments to Base	-	40	-	202	-	242
FY 2018 Appropriation Request	9	2,074	71	18,664	80	20,738

The Court of International Trade requests \$20.7 million (\$2.1 million for mandatory expenses and \$18.7 million for discretionary expenses) in FY 2018.

The \$18.7 million request for discretionary appropriations represents a 1.1 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases.

I. Mandatory Adjustments to Base

The FY 2018 request includes \$40,000 for increases to standard pay and changes in benefits for judges.

II. Discretionary Adjustments to Base

The Court's adjustments to base for FY 2018 total \$0.2 million to provide for standard pay, other inflationary adjustments, and other court operating expenses.

III. Appropriations Language

United States Court of International Trade
Salaries and Expenses

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, **[\$18,462,000]\$18,664,000**.

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.

(Financial Services and General Government Appropriations Act, 2017)



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

FY 2018 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2017 Salaries and Expenses Appropriation	1,772	405,910	26,163	4,996,445	27,935	5,402,355
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	6,510	-	6,510
Total, FY 2017 Available Appropriation	1,772	405,910	26,163	5,002,955	27,935	5,408,865
Adjustments to Base	41	17,268	168	121,444	209	138,712
Adjustments to Base - Vaccine Injury Compensation Trust Fund	-	-	-	1,970	-	1,970
Total, Adjustments to Base	41	17,268	168	123,414	209	140,682
Program Increases	-	-	4	22,452	4	22,452
Total, Program Increases	-	-	4	22,452	4	22,452
FY 2018 Salaries and Expenses Appropriation	1,813	423,178	26,335	5,140,591	28,148	5,563,769
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	8,230	-	8,230
Total, FY 2018 Appropriation Request	1,813	423,178	26,335	5,148,821	28,148	5,571,999

The Judicial Conference requests \$5,572.0 million for the Salaries and Expenses account in FY 2018, including \$423.2 million for mandatory expenses, \$5,140.6 million for discretionary expenses, and \$8.2 million from the Vaccine Injury Trust Fund. The FY 2018 total discretionary request of \$5,148.8 million is a 2.9 percent increase over the FY 2017 discretionary appropriation. This request includes the necessary adjustments to base to maintain current services and continues progress on several major initiatives started in previous fiscal years, including the judiciary's space reduction initiative. Additionally, the request includes program increases associated with one new magistrate judgeship, infrastructure costs associated with new courthouse construction projects funded by Congress in FY 2016, and emergency repairs to the Thurgood Marshall Federal Judiciary Building façade to address serious safety issues.

This account provides for the operating expenses of the 12 regional circuit courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. This account utilizes other funding sources, including current year fee collections and prior year carryforward balances, to offset the need for appropriated funds. The judiciary currently projects that these sources of non-appropriated funds will total \$354.4 million in FY 2018, \$67.8 million below the FY 2017 estimated level of \$422.2 million.

I. Mandatory Adjustments to Base

The FY 2018 request includes \$17.3 million for mandatory increases for Article III and bankruptcy judges as follows:

1. *Pay and benefit cost adjustment for Article III and bankruptcy judges: \$7.9 million*

An increase of \$7.9 million will provide for expected changes in pay and benefit rates for Article III and bankruptcy judges, including the annualization of the January 2017 pay adjustment, an estimated 1.9 percent pay adjustment in January 2018, and changes in benefits costs.

2. *Increase in the number of senior judges: \$4.3 million and 19 FTE*

An increase of \$4.3 million will provide for an additional 19 senior judges anticipated in FY 2018.

3. *Increase in average number of filled Article III judgeships: \$4.2 million and 18 FTE*

An increase of \$4.2 million will provide for an additional 18 filled Article III judgeships anticipated in FY 2018 based on a projected 40 confirmations in FY 2018.

4. *Increase in average number of filled bankruptcy judgeships: \$0.8 million and 4 FTE*

An increase of \$0.8 million will provide for an additional 4 filled bankruptcy judgeships anticipated in FY 2018.

II. Discretionary Adjustments to Base

The FY 2018 request includes a net increase of \$123.4 million for discretionary adjustments to base. This consists of \$139.2 million for standard pay, and other inflationary increases, and \$4.1 million for ongoing information technology requirements, partially offset by a net decrease of \$18.8 million for space-related adjustments and a decrease of \$1.1 million for non-recurring Evidence-Based Practices requirements in the probations and pretrial services program.

1. *Pay and benefit cost adjustment for magistrate and claims court judges: \$2.9 million*

An increase of \$2.9 million will provide for expected changes in pay and benefit rates for magistrate and claims judges, including the annualization of the January 2017 pay adjustments and an estimated 1.9 percent pay adjustment in January 2018.

2. *Increase in the number of senior judges' staff: \$7.4 million and 63 FTE*

An increase of \$7.4 million will provide for an additional 63 staff FTE to support an additional 19 senior judges anticipated in FY 2018.

3. *Increase in average number of filled Article III judgeships: \$12.7 million and 91 FTE*

An increase of \$12.7 million will provide for an additional 91 staff FTE to support an additional 18 filled Article III judgeships anticipated in FY 2018.

4. *Increase in average number of filled bankruptcy judgeships: \$1.8 million and 14 FTE*

An increase of \$1.8 million will provide for an additional 14 staff FTE to support an additional 4 filled bankruptcy judgeships anticipated in FY 2018.

5. *Pay and benefit adjustments for court personnel: \$99.2 million*

An increase of \$99.2 million will provide for the annualization of the January 2017 pay adjustment, an estimated 1.9 percent pay adjustment in January 2018, within-grade increases, and changes in benefits rates.

6. *Non-pay inflationary and contractual increases: \$13.2 million*

An increase of \$13.2 million is requested for a 2.0 percent general inflationary increase and other contractual and miscellaneous increases.

7. *Vaccine Injury Compensation Trust Fund: \$2.0 million*

Due to an increased caseload, the FY 2018 level reflects an increase of \$2.0 million for additional personnel and related costs, as well as for standard pay and non-pay inflationary adjustments for the Vaccine Injury program.

8. *GSA space rental and related expenses: -\$18.8 million*

The FY 2018 request includes a net decrease of \$18.8 for General Services Administration (GSA) space rental and related expenses consisting of:

- a) the annualization of new space delivered in FY 2017 (+\$5.2 million),
- b) adjustments to GSA space rental base costs (+\$20.8 million),
- c) new space projected to be delivered by GSA in FY 2018 (+\$1.1 million),
- d) rent savings due to a new GSA pricing policy for tenant floor cuts (-\$19.0 million), and
- e) a net reduction associated with other space-related adjustments (-\$26.9 million).

9. *Evidence-Based Practices non-recurring requirements: -\$1.1 million*

The FY 2018 request includes a decrease of \$1.1 million for non-recurring costs associated with contracts for the development of new treatment curricula as part of the Evidence-Based Practices program.

10. *Information technology requirements: \$4.1 million*

An increase of \$4.1 million is requested for the IT program to support current operations, as well as upgrades and enhancements to the judiciary's integrated financial management, human resources, rent and property management systems; telecommunications; case management systems; and cybersecurity capabilities; and infrastructure support for national IT applications.

III. Program Increases

The FY 2018 request includes \$22.5 million for program increases. These increases include:

1. *New FY 2018 full-time magistrate judge and staff: \$0.7 million and 4 FTE*

The judiciary requests an additional \$0.7 million for conversion to full-time of one part-time magistrate judge (1 FTE), as well as three support staff (3 FTE), and associated operating costs for Williamsport, PA.

2. *Additional National Space Reduction Program projects: \$10.0 million*

The FY 2018 request includes an increase of \$10.0 million to fund one-time costs for construction, scanning and reducing hard copy files, and furniture requirements to implement space reduction projects.

3. *Thurgood Marshall Federal Judiciary Building (TMFJB) Façade: \$10.0 million*

The Architect of the Capitol recently determined that the entire façade of the TMFJB requires repairs and/or replacement due to construction flaws that present a safety risk. Initial cost estimates for the project are approximately \$36.0 million. The FY 2018 request includes \$10.0 million for Phase 2 of the project. Phase 1 includes development of a protection plan for the entire building and removal of all stone panels from the main entry plaza. Phase 1 will also provide additional information on the condition of some of the larger/thicker panels and will determine the full extent of the façade stone that will require replacement. Using the results of Phase 1, Phase 2 will begin the removal and reinstallation of stone on the next section of the building.

4. *Infrastructure costs for new courthouse construction projects: \$1.8 million*

The \$1.8 million increase consists of \$1.7 million for telecommunications associated with new courthouse construction projects in Charlotte, NC; Greenville, SC; and Savannah, GA; and \$0.1 million in non-recurring costs for swing space for the Savannah, GA, annex project.

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, [\$4,996,445,000]\$5,140,591,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

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

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed [\$6,510,000]\$8,230,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

(Financial Services and General Government Appropriations Act, 2017)

V. Judiciary Workload Factors

WORKLOAD FACTOR	12 months ending June 30, 2011 Actual	12 months ending June 30, 2012 Actual	12 months ending June 30, 2013 Actual	12 months ending June 30, 2014 Actual	12 months ending June 30, 2015 Actual	12 months ending June 30, 2016 Actual	12 months ending June 30, 2017 Projected
Criminal Filings	78,764	73,455	69,642	64,027	60,866	61,021	58,500
Year to Year Change	1%	-7%	-5%	-8%	-5%	0%	-4%
Criminal Defendants Filed	102,605	96,915	91,812	84,017	79,154	79,968	74,900
Year to Year Change	3%	-6%	-5%	-9%	-6%	1%	-6%
Probation: Persons Under Supervision	129,319	132,785	132,362	132,597	133,428	137,882	780,200
Year to Year Change	2%	3%	0%	0%	1%	3%	-5%
Pretrial Services: Cases Activated	107,197	105,852	102,457	98,122	90,588	88,140	52,300
Year to Year Change	-3%	-1%	-3%	-4%	-8%	-3%	-13%
Bankruptcy Filings	1,529,560	1,311,602	1,137,978	1,000,083	879,736	819,159	276,900
Year to Year Change	-3%	-14%	-13%	-12%	-12%	-7%	-5%
Appellate Filings	55,353	57,699	56,360	55,260	53,032	60,099	137,200
Year to Year Change	-1%	4%	-2%	-2%	-4%	13%	0%
Civil Filings	289,630	286,232	283,087	298,713	280,037	290,430	83,900
Year to Year Change	2%	-1%	-1%	6%	-6%	4%	-5%

VI. 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 requirement. Fee collections, primarily from court

filing fees, comprise the majority of these sources of funds. These funds are used to offset expenses within the Salaries and Expenses account.

“Unencumbered” Funds

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

Recognizing that savings in the financial plan tend to occur each year, but at unpredictable levels, the judiciary has tried to estimate the level of unencumbered funds that will be available to offset FY 2018 requirements. As the table below indicates, the judiciary has estimated that unencumbered funds will total \$354.4 million in FY 2018, including \$204.4 million in fee collections and \$150.0 million in other unencumbered carryforward. This level of unencumbered funds represents a decrease of \$67.8 million from the \$422.2 million estimated in FY 2017 to help finance court operations. The judiciary will not request appropriated funds to replace the \$67.8 million, and will instead reduce base requirements in FY 2018.

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 2017.

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

Dollars in Thousands	FY 2017 Estimated	FY 2018 Request	Difference
Fee Collections	204,614	204,375	(239)
Other Carryforward	217,600	150,000	(67,600)
Total, Non-Appropriated Sources of Funding, Excluding Encumbered Funds	422,214	354,375	(67,839)

“Encumbered” Funds

Carryforward funds are considered “encumbered” when both the funds and the associated need for the funds shift to the next year. The judiciary has no-year authority for specific purposes for multiyear IT investments and new space-related requirements. In some cases, as was described above, this authority is used to carry forward savings where planned expenses did not occur. This authority is also used when planned expenses are delayed, or slipped, from one year to the next. In FY 2017, \$160.1 million was slipped from FY 2016.

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



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

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	2,873	1,044,647
Adjustments to Base	107	68,732
Program Increases	-	9,280
FY 2018 Appropriation Request	2,980	1,122,659

The judiciary requests \$1,122.7 million for Defender Services in FY 2018, a 7.5 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services, as well as program increases to fund cybersecurity requirements, information technology requirements, and a \$6 per hour increase above inflation to the non-capital panel attorney hourly rate.

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 CJA provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private attorneys established by the court.

I. Discretionary Adjustments to Base

An increase of \$68.7 million is requested for adjustments to base for pay and inflationary increases, as well as for adjustments that will allow the judiciary to meet its constitutional obligation to provide defense counsel to all eligible persons in FY 2018. In broad categories, these increases include:

1. *Pay and benefit adjustments, federal defender organizations, and program administration: \$24.2 million*

An increase of \$24.2 million will provide for the annualization of the January 2017 pay adjustment, an estimated 1.9 percent pay adjustment in January 2018, within-grade increases, changes in benefits rates, and cost-of-living rate increases for panel attorneys.

2. *Other inflationary increases: \$3.8 million*

An increase of \$3.8 million is required for inflationary adjustments for all non-pay categories, as well as for space rental costs.

3. *Annualization of new FDO positions added in FY 2017: \$11.8 million and 50 FTEs*

The requested increase will annualize costs for 100 additional federal defender organization (FDO) positions (50 FTE) and the 27 staff expected to be added by community defender organizations (CDOs) in FY 2017. Staff were added to continue the implementation of the FDO staffing formulas that were developed and approved by the Judicial Conference in FY 2015 and first used in the FY 2016 financial plan.

4. *Annualization of new national positions and CJA panel management positions added in FY 2017: \$2.2 million and 11 FTEs*

The requested increase will annualize costs for 9 national positions and 14 Criminal Justice Act panel management positions added in FY 2017. These positions are not covered by the FDO staffing formulas and are budgeted for separately.

5. *Change in projected workload: \$2.1 million*

The requested increase represents additional costs associated with FDO contracts and needed training for FDO staff. This consists of \$0.6 million for contracts for regional habeas assistance and training counsel, \$1.1 million for contracts for coordinating discovery attorneys for complex cases, and \$0.4 million for training to meet current requirements for both panel attorneys and FDO staff.

6. *Panel attorney base decrease: -\$0.9 million*

The requested decrease represents a change in panel attorney payment requirements.

7. *Transition from a Community Defender Organization to a Federal Public Defender Organization in the Western District of North Carolina: \$0 and 46 FTEs*

The requested increase in FTE is associated with the transition from a CDO in the Western District of North Carolina to a Federal Public Defender Organization (FPDO). No additional funds are requested with the transition as base funds previously associated with the CDO are already available to support this new organization. An increase in FTE is necessary to reflect that personnel at the new FPDO are federal employees, unlike the private nonprofit employees who staff CDOs.

8. *Increase in appropriations needed to fund current services: \$25.4 million*

In FY 2017, \$60.4 million in balances from FY 2016 were available to finance FY 2017 requirements. In FY 2018, the judiciary expects \$35 million in non-appropriated funds to be available, a decrease of \$25.4 million from FY 2017. Therefore, the judiciary requests \$25.4 million in appropriations to replace this funding.

II. Program Increases

1. *Non-capital panel attorney hourly rate increase: \$1.8 million*

The requested funding supports a \$6 hourly rate increase above the cost-of-living adjustment (COLA), from \$135 to \$141 per hour, for non-capital panel attorney cases in FY 2018 (the maximum rate authorized in statute is \$147 per hour). The \$6 above COLA rate increase is needed to ensure that courts retain and recruit qualified and experienced criminal defense practitioners for their CJA panels. The annualization of the \$6 increase is \$15.2 million in FY 2019.

2. *Cybersecurity requirements: \$3.5 million*

The judiciary requests \$3.5 million in FY 2018 for cybersecurity requirements for securing the Defender Services network. The requirements address six cybersecurity controls:

- 1) network security and continuous monitoring,
- 2) cyber incident preparedness,
- 3) endpoint security,
- 4) authentication and privileged access management,
- 5) cybersecurity training, and
- 6) cybersecurity personnel expansion.

Planned cybersecurity enhancements include web-based threat protection, firewall training, and password manager software.

3. Information technology requirements: \$3.9 million

The judiciary requests \$3.9 million in FY 2018 to support defender services information technology requirements, which can be divided into three major categories:

- 1) application development to support work measurement (\$2.0 million),
- 2) e-mail replacement (\$1.0 million), and
- 3) infrastructure improvements (\$0.9 million).

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, [~~\$1,044,647,000~~]~~\$1,122,659,000~~, to remain available until expended.

(Financial Services and General Government Appropriations Act, 2017)



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

FY 2018 Request	
	Discretionary FTE (\$000)
FY 2017 Appropriation	- 39,929
Adjustments to Base	- 5,900
Program Increases	- 5,115
FY 2018 Appropriation Request	- 50,944

The judiciary requests \$50.9 million for Fees of Jurors and Commissioners in FY 2018, a 27.6 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services as well as an increase to the daily juror attendance fee.

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

I. Discretionary Adjustments to Base

The FY 2018 request includes an increase of \$5.9 million in adjustments to base associated with inflationary adjustments, projected changes in juror days, and an anticipated decrease in available non-appropriated funds. This will allow the account to continue to pay for the statutory fees and expenses of grand and petit jurors and compensation of land commissioners in FY 2018. These adjustments include:

1. *Inflationary adjustments: \$0.5 million*

In addition to attendance fees, jurors also are reimbursed for certain expenses, including meals and lodging for sequestered jurors and transportation of juries to view evidence or crime scenes. Inflationary increases associated with these expenses are expected to total \$0.2 million for grand jurors and \$0.3 million for petit jurors in FY 2018.

2. *Projected change in juror days: \$1.0 million*

Overall expenses for grand and petit jurors are expected to increase by a net \$1.0 million in FY 2018 based on the projected number of available grand and petit jurors.

3. *Increase in appropriations needed to fund current services: \$4.4 million*

The FY 2017 financial plan for this account was financed in part by \$5.4 million in carryforward balances from FY 2016. The Judiciary has estimated that only \$1.0 million in carryforward balances from FY 2017 will be available to finance FY 2018 requirements, a decrease of \$4.4 million. Therefore, the FY 2018 request includes \$4.4 million in appropriated funds to replace this funding.

II. Program Increases

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

An increase of \$5.1 million is requested to increase the daily juror attendance fee by \$10 (from \$40 to \$50) for grand and petit jurors, effective January 2018, to compensate jurors more adequately for their service. Although inflation and the cost of living have increased each year, the juror fee has not been increased since December 1990. If inflationary increases had been applied since 1990, the daily rate would be \$76 in 2017, \$36 above the current \$40 rate. A higher attendance fee that more closely tracks to inflation will help to offset some of the financial burden imposed by jury service, particularly on the approximately 40 percent of private sector workers who receive no pay from their employers while on jury duty. In addition, social science data suggest that higher juror compensation produces fewer jurors seeking and receiving excuses from service, which in turn increases the efficiency of juror utilization and results in the empanelment of more representative juries.

III. Appropriations Language

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

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of

commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), [\$39,929,000]\$50,944,000, 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.

(Financial Services and General Government Appropriations Act, 2017)



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

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	70	565,388
Adjustments to Base	-	13,660
Program Increases	3	8,560
FY 2018 Appropriation Request	73	587,608

The Judicial Conference requests \$587.6 million for Court Security in FY 2018, a 3.9 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services, as well as increases for security infrastructure for new courthouses, five new Physical Access Control Systems positions, Facility Access Card sustainment, and Judicial Security Management and Reporting Tool replacement.

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

I. Discretionary Adjustments to Base

The Court Security account requests \$13.7 million for adjustments to base for pay, inflationary increases, and other adjustments to maintain current services in FY 2018. In broad categories, these adjustments include:

1. Pay and benefit increase: \$0.3 million

The increase accounts for the annualization of the January 2017 pay adjustment, an estimated 1.9 percent pay adjustment in January 2018, within-grade increases, and changes in benefits rates.

2. Annualization of new Court Security Officer (CSO) positions in FY 2017: \$2.9 million

Funding is required to annualize costs for 69 additional CSOs expected to be brought on-board in FY 2017, representing the second year of a multi-year implementation of the new CSO staffing standards.

3. FY 2018 CSO contract and wage rate adjustments: \$9.7 million

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

4. Non-pay inflationary and GSA space rental increases: \$0.3 million

The requested increase of \$0.3 million consists of \$0.2 million for a general inflationary increase for travel, supplies, equipment, and other contractual services (exclusive of Court Security Officers contracts) and \$0.1 million for an inflationary increase and adjustments in the cost of GSA space rental charges for FY 2018.

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

The requested increase of \$1.6 million will fund basic and building-specific security expenses based on anticipated billings from the Department of Homeland Security Federal Protective Service (FPS). This brings the total request for FPS charges to \$84.2 million in FY 2018, which is a 1.9 percent increase over the \$82.6 million projected for FY 2017.

(\$000)	FY 2017	FY 2018	Difference
Basic	33,161	32,967	(194)
Building-Specific	49,456	51,246	1,790
Total FPS	82,617	84,213	1,596

6. Adjustments to base for security systems and equipment: -\$1.2 million

The requested amount reflects a net decrease of \$1.2 million in the court security systems and equipment acquisition plan. This includes \$8.4 million in increases for physical access control systems; cyclical replacement of screening equipment; and maintenance contracts for existing security systems. An offsetting decrease of \$9.6 million is for additional and replacement equipment; security systems for renovated facilities; GSA installation and alterations; perimeter security improvements; and miscellaneous systems and equipment.

II. Program Increases

1. *Infrastructure for new courthouses: \$7.1 million*

The FY 2018 request includes approximately \$7.1 million for new security systems and screening equipment at the new courthouse annexes planned for Charlotte, North Carolina (\$3.1 million), and Savannah, Georgia (\$1.6 million), and a new courthouse planned for Greenville, South Carolina (\$2.4 million).

2. *Physical access control (PACS) positions at USMS: \$0.5 million and 3 FTEs*

A critical component of the judiciary's PACS strategy is increasing the USMS's dedicated PACS staff. The lack of staff resources has affected the USMS's ability to provide adequate oversight and support to administer the program. The judiciary requests \$0.5 million and five new positions (3 FTEs) at the USMS to support the PACS program. This request for additional funding will provide the USMS with the resources for adequate oversight of the current PACS program, as well as expand the number of PACS projects that can be initiated each year.

3. *Facility Access Card (FAC) sustainment: \$0.5 million*

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

The FY 2017 base includes \$1.5 million in recurring, annual funding to move the FAC project into an ongoing sustainment phase. A total of \$2.0 million in annual funding will be required for the FAC project sustainment in FY 2018, based on revised cost estimates. Therefore, the judiciary requests an additional \$0.5 million for FAC sustainment to reach the revised total in FY 2018.

4. *Judicial Security Management and Reporting Tool (JSMART) replacement: \$0.5 million*

JSMART, a module of the USMS Justice Detainee Information System (JDIS), stores and analyzes CSO and security systems and equipment data on every USMS-supported court facility nationwide. The USMS is currently engaged in an agency-wide information technology enhancement that will replace JDIS with a new system and will no longer maintain JSMART, so a replacement must be

developed. The USMS's initial cost projection for replacing the existing JDIS platform and JSMART functionality is approximately \$6.3 million.

The FY 2017 base includes \$1.0 million in funding to define system requirements and conduct system development planning. For FY 2018, the judiciary requests an additional \$0.5 million, for a total of \$1.5 million, to begin building JSMART into the USMS's overall IT system modernization project.

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), [\$565,388,000]\$587,608,000, 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.

(Financial Services and General Government Appropriations Act, 2017)



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

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	621	87,500
Adjustments to Base	-	2,923
FY 2018 Appropriation Request	621	90,423

The Administrative Office of the U.S. Courts (AO) requests \$90.4 million in FY 2018, a 3.3 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The AO requests no program increases.

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

I. Discretionary Adjustments to Base

The AO requests \$2.9 million in adjustments to base in FY 2018 for increases to standard pay and other inflationary adjustments.

II. Appropriations Language

Administrative Office of the United States Courts
Salaries and Expenses

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, [\$87,500,000]\$90,423,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

(Financial Services and General Government Appropriations Act, 2017)



Federal Judicial Center
Salaries and Expenses

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	125	28,335
Adjustments to Base	-	930
FY 2018 Appropriation Request	125	29,265

The Federal Judicial Center (FJC) requests \$29.3 million in FY 2018, a 3.3 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The FJC requests no program increases.

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

I. Discretionary Adjustments to Base

The Federal Judicial Center requests \$0.9 million in adjustments to base for increases to standard pay and other inflationary adjustments.

II. Appropriations Language

Federal Judicial Center
Salaries and Expenses

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, [~~\$28,335,000~~]~~\$29,265,000~~; of which \$1,800,000 shall remain available until September 30, [~~2018~~]~~2019~~, 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.

(Financial Services and General Government Appropriations Act, 2017)



United States Sentencing Commission
Salaries and Expenses

FY 2018 Request		
	Discretionary	
	FTE	(\$000)
FY 2017 Appropriation	95	18,100
Adjustments to Base	1	599
FY 2018 Appropriation Request	96	18,699

The U.S. Sentencing Commission requests \$18.7 million in FY 2018, a 3.3 percent increase over the FY 2017 discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Commission requests no program increases.

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

I. Discretionary Adjustments to Base

The Commission requests \$0.6 million in adjustments to base in FY 2018. This includes \$0.5 million for increases to standard pay and other inflationary adjustments, and an increase of \$0.1 million for annualizing 3 staff (1 FTE) initially funded in FY 2017.

II. Appropriations Language

United States Sentencing Commission
Salaries and Expenses

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, [\$18,100,000]\$18,699,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

(Financial Services and General Government Appropriations Act, 2017)

Title III Administrative Provisions – The Judiciary

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

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

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

SEC. 304. Section [3314(a)]3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

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

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of

Kansas) following paragraph (12), by striking “[25]26 years and 6 months” and inserting “[26]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 “[23]24 years and 6 months” and inserting “[24]25 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: “,”;

[(1)](3) in the first sentence by striking “[14]15 years” and inserting “[15]16 years”;

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

[(2)](5) in the [second] *third* sentence (relating to the central District of California), by striking “[13]14 years and 6 months” and inserting “[14]15 years and 6 months”; and

[(3)](6) in the [third] *fourth* sentence (relating to the western district of North Carolina), by striking “[12]13 years” and inserting “[13]14 years”.

[SEC. 307. (a) Section 2(a)(2)(A) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended by striking “subparagraphs (B), (C), (D), and (E)” and inserting “subparagraphs (B), (C), (D), (E), (F), (G), and (H)”.

(b) Section 2(a)(2) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended by adding at the end the following:

“(F) Eastern district of michigan.--The 1st vacancy in the office of a bankruptcy judge for the eastern district of Michigan--

“(i) occurring 7 years or more after the date of the enactment of this Act, and

“(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

“(G) District of puerto rico.--The 1st vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

“(i) occurring 7 years or more after the date of the enactment of this Act, and

“(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

“(H) Eastern district of Virginia.--The 1st vacancy in the office of a bankruptcy judge for the eastern district of Virginia--

“(i) occurring 7 years or more after the date of the enactment of this Act, and

“(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.”.

(c) Section 2(a)(2)(C) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended--

(1) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(2) by inserting before clause (ii), as so redesignated, the following:

“(i) in the case of the 1st and 2d vacancies, occurring more than 7 years after the date of the enactment of this Act,”; and

(3) in clause (ii), as so redesignated, by inserting “in the case of the 3d and 4th vacancies,” before “occurring more than 5 years”.

(d) Section 2(a)(2)(D)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112-121) is amended (with regard to the 1st and 2d vacancies in the southern district of Florida) by striking “5 years” and inserting “7 years”.]

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

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

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

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

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

SEC. 308. (a) Section 1871(b) of title 28, United States Code, is amended in paragraph (1) by striking “\$40” and inserting “\$50”. (b) EFFECTIVE DATE. — The amendment made in subsection (a) shall take effect 45 days after the date of enactment of this Act.

This title may be cited as the “Judiciary Appropriations Act, [2017]2018”.

Explanation of Changes

Revised Section 304: This language updates the U.S. Code reference to reflect a renumbering that was enacted in October 2016.

Revised Section 306: This language extends for 12 months the authorizations of eight temporary district judgeships that were last extended in FY 2017 and whose authorizations expire on a rolling basis between April and September of FY 2018. The revisions relative to the enacted FY 2017 language reflect the removal of Alabama-Northern from the extension request, consistent with the most recent judgeship recommendations of the Judicial Conference.

Revised Section 307: This language extends for 12 months the authorizations of seven temporary bankruptcy judgeships whose authorizations expire on May 25, 2018.

New Section 308: This proposed new section increases the daily juror attendance fee by \$10 (from \$40 to \$50) to compensate jurors more adequately for their services. Although inflation and the cost of living have increased each year, the juror fee has not been increased since December 1990. If inflationary increases had been applied since 1990, the daily rate would be \$76 in 2017, \$36 above the current rate of \$40. A higher attendance fee that more closely tracks to inflation will help to offset some of the financial burden imposed by jury service, particularly on the approximately 40 percent of private sector workers who receive no pay from their employers while on jury duty. In addition, social science data suggest that higher juror compensation produces fewer jurors seeking and receiving excuses from service, which in turn increases the efficiency of juror utilization and results in the empanelment of more representative juries.



Judicial Retirement Funds *Payment to Judiciary Trust Funds*

FY 2018 Request	
	Mandatory
	FTE (\$000)
FY 2017 Appropriation	- 168,300
Adjustments to Base	- 26,700
FY 2018 Appropriation Request	- 195,000

The Judicial Conference requests \$195.0 million for the Judicial Retirement Funds in FY 2018, a 15.9 percent increase over the FY 2017 appropriation.

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

I. Mandatory Adjustments to Base

Based on independent actuarial calculations, an increase of \$26.7 million is required for this account for FY 2018.

II. Appropriations Language

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

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

(2) Payments to--

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));
(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and
(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions--

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

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

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

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

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

(Financial Services and General Government Appropriations Act, 2017)

Judiciary Space Priorities
for the
FY 2018 Budget Request

Courthouse Construction

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

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

Management of FY 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, FY 2016 courthouse construction funding will be used to fully fund eight projects: Nashville, TN; Toledo, OH; Charlotte, NC; Des Moines, IA; Greenville, SC; Anniston, AL; Savannah, GA; and San Antonio, TX. Partial funding was also provided for Harrisburg, PA. Congress also provided \$53 million for GSA for new construction and acquisition of federal buildings that jointly house U.S. courthouses and other federal agencies in Greenville, MS and Rutland, VT. Joint courthouse/federal building projects are prioritized by GSA and do not appear on the judiciary's CPP.

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

Each of these projects is in a different stage of development; some are ready for construction while others still require significant design work or acquisition of a building site. The AO is participating in partnering meetings with the affected courts,

the USMS, GSA, and the U.S. Attorneys' Offices to ensure that all stakeholders are involved in planning, decision making and project oversight, as necessary.

Update to the CPP

On September 13, 2016, the Judicial Conference of the United States approved an updated CPP list for FY 2018 and beyond. The CPP list approved in September 2016 reflects the removal of the eight projects that were funded in FY 2016, and the addition of three new locations to Part I based on their Asset Management Planning Process (AMP) Urgency Evaluation score and the recommendations contained in each project's completed GSA feasibility study. For FY 2018, the CPP includes three project requests:

- \$139.9 million in additional construction funding for the project in Harrisburg, PA, that was partially funded in FY 2016;
- \$110.0 million for site acquisition, design, and construction funding for a new courthouse in Huntsville, AL; and
- \$190.1 million for site acquisition, design, and construction funding for a new courthouse in Fort Lauderdale, FL.

Capital Security Program

Courthouse Project	(\$000)
Hato Rey Complex, Clemente Ruiz-Nazario U.S. Courthouse and Federico Degetau Federal Building, San Juan, Puerto Rico (Phase 2)	16,800
Projects currently undergoing capital security studies	3,200
FY 2018 Appropriation Request	20,000

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

FY 2018 Projects

The Judiciary requests \$20.0 million in FY 2018 for GSA to address security deficiencies at existing courthouses through the CSP. Funds are requested for the following projects¹:

- 1. Hato Rey Complex, Clemente Ruiz-Nazario U.S. Courthouse and Federico Degetau Federal Building, San Juan, Puerto Rico (Phase 2): \$16.8 million*

The Hato Rey complex, which includes the Degetau Federal Office Building and Ruiz-Nazario U.S. Courthouse, serves as the headquarters for the District Court in the District of Puerto Rico. The complex’s most pressing security deficiencies are being addressed in phases. Phase 1, which was funded with a \$3.1 million CSP project in FY 2012, partially addressed security deficiencies by constructing a new dedicated elevator for prisoner movement. Phase 2 was begun with a FY 2016 CSP project study that evaluated existing conditions of both buildings and proposed a preferred concept solution to address additional deficiencies of

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

each structure. The recommendation for the Ruiz-Nazario Courthouse involves the construction of a secure judges' parking garage, designation of a judges' only elevator, and the addition of a shared judge/prisoner elevator. At the Degetau Federal Building, a new U.S. Marshals Service (USMS) vehicle sallyport is proposed in conjunction with a new shared judge/prisoner elevator. The FY 2018 request of \$16.8 million will fund the associated design and construction costs of Phase 2.

2. *Projects currently undergoing capital security studies: \$3.2 million*

Each project that receives CSP funding first undergoes a capital security study to identify specific security enhancement options for that location. The remaining \$3.2 million of FY 2018 funding will be applied to projects that are currently undergoing capital security studies once those studies have been completed.