

UNITED STATES COURT OF INTERNATIONAL TRADE
Salaries and Expenses
SUMMARY STATEMENT OF ACCOUNT REQUIREMENTS

	Mandatory	Discretionary	Total
Total Fiscal Year 2020 Enacted Appropriation	\$2,099,000	\$19,564,000	\$21,663,000
Total Fiscal Year 2021 Appropriation Request	\$2,143,000	\$20,097,000	\$22,240,000
Total Requested Increase from Fiscal Year 2020 Enacted Appropriation	\$44,000	\$533,000	\$577,000

APPROPRIATION 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, [~~\$19,564,000~~]*\$20,097,000*.

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

(P.L. 116-93 - Financial Services and General Government Appropriations Act, 2020)

**SUMMARY OF REQUEST
UNITED STATES COURT OF INTERNATIONAL TRADE
SALARIES AND EXPENSES
FISCAL YEAR 2021
(Dollar amounts in thousands)**

Fiscal Year 2021 Resource Requirements:

	Mandatory		Discretionary		Total	
	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
Fiscal Year 2020 Obligations	9	2,099	68	20,819	77	22,918
Utilization of Electronic Public Access Receipts and Judiciary Information Technology Fund Balances ...	-	-	-	(1,255)	-	(1,255)
Fiscal Year 2020 Enacted Appropriation	9	2,099	68	19,564	77	21,663

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No. **Adjustments to Base to Maintain Current Services:**

A. Judges

Pay and Benefit Adjustments

3.9	1. Proposed 2021 pay adjustment (1.0% for nine months)	-	18	-	-	-	18
3.9	2. Annualization of 2020 pay adjustment (2.6% for three months)	-	16	-	-	-	16
3.9	3. Benefits increases						
	a. Health benefits.....	-	7	-	-	-	7
	b. FICA adjustment.....	-	3	-	-	-	3

B. Personnel

Pay and Benefit Adjustments

3.10	4. Proposed 2021 pay adjustment (1.0% for nine months)	-	-	-	70	-	70
3.10	5. Annualization of 2020 pay adjustment (3.1% for three months)	-	-	-	72	-	72
3.10	6. Promotions and within-grade increases.....	-	-	-	53	-	53
3.10	7. Benefits increases						
	a. Health benefits.....	-	-	-	61	-	61
	b. FICA adjustment.....	-	-	-	3	-	3
	c. FERS adjustment.....	-	-	-	61	-	61
3.11	8. One less compensable day.....	-	-	-	(35)	-	(35)

**SUMMARY OF REQUEST
 UNITED STATES COURT OF INTERNATIONAL TRADE
 SALARIES AND EXPENSES
 FISCAL YEAR 2021
 (Dollar amounts in thousands)**

	Mandatory		Discretionary		Total	
	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>	<u>FTE</u>	<u>Amount</u>
C. Other Adjustments						
General Inflationary Adjustments						
3.11	9.	Inflationary increases in charges for contracts, services, supplies, and equipment.....	-	-	-	43
3.12	10.	Inflationary increase and adjustments in GSA space rental costs.....	-	-	-	603
3.12	11.	Decrease in FPS basic/building specific security surcharges.....	-	-	-	(398)
		Subtotal, Adjustments to Base to Maintain Current Services.....	-	44	-	533
		Total Fiscal Year 2021 Appropriation Required.....	9	2,143	68	20,097
 <u>Financing the Fiscal Year 2021 Request:</u>						
		Total Appropriation Required, Fiscal Year 2021.....	9	2,143	68	20,097
3.12		Utilization of Electronic Public Access Receipts and Judiciary Information Technology Fund Balances ...	-	-	-	232
		Total Estimated Obligations, Fiscal Year 2021.....	9	2,143	68	20,329

**UNITED STATES COURT OF INTERNATIONAL TRADE
SALARIES AND EXPENSES**

Obligations by Activity (\$000)

Activity	FY 2019 Actual	FY 2020 Enacted	FY 2021 Request
Total Obligations	21,315	22,918	22,472
Unobligated Balance, Start of Year:			
Judiciary Information Technology Fund	(1,411)	(1,423)	(200)
Deposits and Other Adjustments:			
Judiciary Information Technology Fund	(958)	(32)	(32)
Prior Year Recoveries	(179)		
Unobligated Balance, End of Year:			
Judiciary Information Technology Fund	1,423	200	0
<i>Subtotal, Other Obligations</i>	<i>(1,125)</i>	<i>(1,255)</i>	<i>(232)</i>
Direct Obligations	20,190	21,663	22,240
Unobligated Balance, End of Year	76	0	0
Offsetting Collections	(32)	0	0
Appropriation Total	20,234	21,663	22,240
Appropriation - Mandatory	1,352	2,099	2,143
Appropriation - Discretionary	18,882	19,564	20,097

Obligations by Budget Object Class (\$000)

Description	FY 2019 Actual	FY 2020 Assumed Obligations	FY 2021 Request
11 Personnel compensation	6,779	8,911	9,105
12 Personnel benefits	1,883	2,233	2,368
21 Travel	140	150	153
22 Transportation of things	39	45	46
23 Rent, communications and utilities			
<i>Rental payments to GSA</i>	8,114	8,288	8,891
<i>Communications utilities & misc. charges</i>	17	17	17
24 Printing and reproduction	2	3	3
25 Other services	1,889	1,691	1,320
26 Supplies and materials	43	45	46
31 Equipment	294	280	291
91 Undefined Disbursements (JITF Deposit)	990	0	0
Direct Obligations	20,190	21,663	22,240
Other Obligations (JITF Obligations)	1,125	1,255	232
Total Obligations	21,315	22,918	22,472

UNITED STATES COURT OF INTERNATIONAL TRADE
Salaries & Expenses
Relation of Obligations to Outlays (\$000)

	FY 2019 Actual	FY 2020 Assumed Obligations	FY 2021 Request
Direct obligations incurred	20,190	21,663	22,240
Obligated balance, start of year	9,361	8,223	8,823
Adjustments of prior year activity	(213)	0	0
Obligated balance, end of year	<u>(8,223)</u>	<u>(8,823)</u>	<u>(9,058)</u>
Total Outlays	21,115	21,063	22,005
Less Offsets	<u>(34)</u>	<u>(34)</u>	<u>(34)</u>
Net Outlays	21,081	21,029	21,971

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Summary of Mandatory Costs

	<u>Fiscal Year 2020</u>		<u>Fiscal Year 2021</u>		
	<u>No. of Judgeships</u>	<u>Compensation and Benefits (\$000)</u>	<u>No. of Judgeships</u>	<u>Compensation and Benefits (\$000)</u>	<u>Increase (\$000)</u>
Article III Judges	9	2,099	9	2,143	44

GENERAL STATEMENT AND INFORMATION

The United States Court of International Trade, with nine authorized Article III judgeships, 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. In keeping with its national jurisdiction, sessions of the Court may be held throughout the country.

The estimates under this title are to provide for the salaries of the judges and supporting personnel of the Court of International Trade, located in Manhattan, New York, and the necessary operating expenses of the Court. These operating expenses include internal courthouse security, Federal Protective Service (FPS) surcharges for basic and building-specific security services, GSA rent charges, travel, equipment maintenance contracts, cyclical maintenance of and upgrades to facilities, printing and binding, general office supplies, purchase of new/replacement office equipment and furniture, repair of existing equipment and furniture, access to legal research databases, and acquisition and maintenance of legal reference materials.

The fiscal year (FY) 2021 request for the Court of International Trade totals \$22,240,000 to support the operations of the Court at a current services level. The request includes \$2,143,000 for mandatory appropriations and \$20,097,000 for discretionary appropriations.

FISCAL YEAR 2020 APPROPRIATION

The judiciary built the FY 2021 discretionary budget request for the U.S. Court of International Trade on the FY 2020 enacted appropriation, which is \$19,564,000. This amount maintains current services in FY 2020. For bill language, the judiciary used the language from P.L. 116-93, Financial Services and General Government Appropriations Act, 2020.

The table below provides caseload data of the Court for FY 2014 through FY 2019.

Civil Action Cases

Fiscal Year	Pending Beginning of Year	Received	Decided	Pending End of Year
2014	2,269	301	544	2,026
2015	2,026	390	385	2,031
2016	2,031	270	489	1,812
2017	1,812	313	448	1,677
2018	1,677	242	428	1,491
2019	1,491	223	631	1,083

JUSTIFICATION OF CHANGES

The FY 2021 budget request for the Court includes \$2,143,000 for mandatory appropriations and \$20,097,000 for discretionary appropriations. The discretionary request is a 2.7 percent increase over the FY 2020 enacted appropriation of \$19,564,000. The total increase reflects only the necessary adjustments to base to maintain current services. The Court requests no program increases in FY 2021.

ADJUSTMENTS TO BASE TO MAINTAIN CURRENT SERVICES

The following narrative provides information and justification for each of the adjustments to base for the Court.

A. JUDGES

1. Proposed 2021 pay adjustment

Mandatory Increase: \$18,000

The judiciary is assuming federal pay rates will increase by 1.0 percent in January 2021. The requested increase provides for the cost of nine months of the anticipated pay raise in FY 2021, from January 2021 to September 2021. (If the pay adjustment included in the President's FY 2021 budget request is different than 1.0 percent, the judiciary will revise this line item in its FY 2021 budget re-estimate.)

2. Annualization of 2020 pay adjustment

Mandatory Increase: \$16,000

The requested increase provides for the annualized costs of the 2020 pay adjustment associated with the Employment Cost Index (ECI). Based on the enacted FY 2020 appropriation bill, federal pay rates for judges increased by 2.6 percent, effective as of January 2020. The requested increase provides for the cost of three months (from October 2020 to December 2020) of the 2020 pay increase in FY 2021.

3. Benefits increases

a. Health benefits

Mandatory Increase: \$7,000

Based on information from the Office of Personnel Management, agency health benefit premium contributions are projected to increase by an average of 3.2 percent both in January 2020 and January 2021. The requested increase annualizes the 2020 premium increase and includes a nine-month provision for an estimated 3.2 percent increase anticipated for FY 2021.

b. FICA adjustment

Mandatory Increase: \$3,000

Based on information from the Social Security Administration, employer contributions to the Old Age, Survivor, and Disability Insurance (OASDI) portion of the FICA tax will increase in 2020. The salary cap for OASDI increased from \$132,900 to \$137,700 in January 2020. The requested amount is needed to pay the agency's contribution in FY 2021.

B. PERSONNEL

Pay and Benefit Adjustments

4. Proposed 2021 pay adjustment

Requested Increase: \$70,000

The judiciary is assuming federal pay rates will increase by 1.0 percent in January 2021. The requested increase provides for the cost of nine months of the anticipated pay raise in FY 2021, from January 2021 to September 2021. (If the pay adjustment included in the President's FY 2021 budget request is different than 1.0 percent, the judiciary will revise this line item in its FY 2021 budget re-estimate.)

5. Annualization of 2020 pay adjustment

Requested Increase: \$72,000

The requested increase provides for the annualized costs of the 2020 pay adjustment for ECI and locality pay. Based on the enacted FY 2020 appropriation bill, federal pay rates in New York City increased by 3.1 percent, effective as of January 2020. The requested increase provides for the cost of three months (from October 2020 to December 2020) of the 2020 pay increase in FY 2021.

6. Promotions and within-grade increases

Requested Increase: \$53,000

The requested increase provides for promotions and within-grade increases for personnel. The salary plan for judicial support personnel provides for periodic within-grade increases for staff who receive at least a satisfactory performance rating.

7. Benefits increases

a. Health benefits

Requested Increase: \$61,000

Based on information from the Office of Personnel Management, agency health benefit premium contributions are

projected to increase by an average of 3.2 percent both in January 2020 and January 2021. The requested increase annualizes the 2020 premium increase and includes a nine-month provision for an estimated 3.2 percent increase anticipated for FY 2021.

b. FICA adjustment

Requested Increase: \$3,000

Based on information from the Social Security Administration, employer contributions to the Old Age, Survivor, and Disability Insurance (OASDI) portion of the FICA tax will increase in 2020. The salary cap for OASDI increased from \$132,900 to \$137,700 in January 2020. The requested amount is needed to pay the agency contribution in FY 2021.

c. FERS adjustment

Requested Increase: \$61,000

Consistent with guidance from the Office of Management and Budget, funds are requested for an increase in the agency contribution rate to Federal Employees Retirement System (FERS) plans for FY 2021. For most employees, the agency contribution rate will increase from 16.0 percent to 17.3 percent. Any FERS increase is in accordance with revised estimates of the cost of providing benefits by the Board of

Actuaries of the Civil Service Retirement and Disability System.

8. One less compensable day

Requested Decrease: (\$35,000)

There is one less compensable day in FY 2021 than in FY 2020. The requested amount decreases personnel compensation and benefits associated with one less compensable day for biweekly paid employees.

C. OTHER ADJUSTMENTS

General Inflationary Adjustments

9. Inflationary increases in charges for contracts, services, supplies, and equipment

Requested Increase: \$43,000

Consistent with guidance from the Office of Management and Budget, this requested increase is required to fund inflationary adjustments of 2.0 percent for operating expenses such as travel, communications, printing, contractual services, supplies and materials, and furniture and equipment.

10. Increase in GSA space rental costs

Requested Increase: \$603,000

This request represents the actual increase of \$603,000 in the cost of GSA space rental charges for FY 2021.

11. Decrease in Federal Protective Service (FPS) basic/building specific security surcharges

Requested Decrease: (\$398,000)

Based on the Department of Homeland Security’s FPS’s estimate, a decrease of \$398,000 in basic and building specific security surcharge costs is expected in FY 2021. The building specific security surcharges provide for the Court’s pro rata share of installing, operating, and maintaining the enhanced security for the Federal Complex in lower Manhattan. In 2019, FPS changed their revenue fee structure resulting in a decrease of security surcharges.

FINANCING THE FISCAL YEAR 2021 REQUEST

Utilization of Electronic Public Access Receipts and the Judiciary Information Technology Fund

Estimated Obligations: \$232,000

At the beginning of FY 2020, \$1,455,000 was available in

carry forward balances from the Judiciary Information Technology Fund, including \$32,000 from Electronic Public Access receipts. Of this amount, the Court is planning to use \$1,255,000 during FY 2020 to:

- continue the contract for IT security services to enhance the Court’s cybersecurity program;
- upgrade the court’s back-up and storage infrastructure;
- upgrade the court’s network infrastructure hardware;
- upgrade software maintenance and licensing of existing software applications for major requirements, such as Microsoft and Linux;
- continue to maintain and support the video conferencing system, digital recording system, data network and voice connections, Virtual Private Network System (VPN), Voice Over Internet Protocol (VOIP), and Judiciary Data Communications Network (DCN); and
- purchase computer desktop systems, monitors, laptops, mobile devices, and printers, according to the judiciary’s cyclical replacement program.

At the beginning of FY 2021, the Court anticipates that \$232,000 will be available in carry forward balances into the Judiciary Information Technology Fund, including \$32,000 of EPA receipts. These funds will be used to continue the Court’s information technology initiatives as described above and to support its short-term and long-term IT needs.