

February 20, 2015

The Honorable Tom Price, M.D.
Chairman
Committee on the Budget
207 Cannon House Office Building
Washington, D.C. 20515

The Honorable Chris Van Hollen
Ranking Member
Committee on the Budget
B71 Cannon House Office Building
Washington, D.C. 20515

Dear Chairman Price and Ranking Member Van Hollen,

Pursuant to section 301(d) of the Congressional Budget Act of 1974 (2 U.S.C. § 632(d)) and House Rule X, clause 4(f)(1), we are submitting the views and estimates of the Committee on the Judiciary for Fiscal Year 2016. These views and estimates encompass a broad range of programs within the Judiciary Committee's jurisdiction. We hope that these views and estimates provide valuable guidance to your Committee as you prepare the budget resolution. Except in instances where the President's budget presents a compelling justification for an increase in funding, as a general matter the Committee supports funding these programs at a level comparable to their FY 2015 appropriations. We note that, while this document reflects the views of the Members of this Committee, some Members may have individual views that are not reflected in this document. Please feel free to contact us or our staffs should you have any questions or concerns.

Sincerely,



Bob Goodlatte
Chairman



John Conyers, Jr.
Ranking Member

COMMITTEE ON THE JUDICIARY VIEWS AND ESTIMATES FOR FISCAL YEAR 2016

The following presents the views and estimates of the Committee on the Judiciary regarding the Fiscal Year 2016 budget for matters within the Committee's Rule X jurisdiction.

The Committee recognizes that the Federal government currently faces significant budgetary constraints that will require federal departments and agencies to meet their respective missions and perform their functions while receiving fewer resources. Many departments and agencies that fall within the Committee's jurisdiction serve a unique function in that they are among the few departments and agencies that perform functions specifically called for in the U.S. Constitution. Their related expenditures should be assessed in light of the core functions and responsibilities of the Federal government as defined by the U.S. Constitution.

On the other hand, the Committee acknowledges that there may be inefficiencies in some programs or aspects of some programs that overlap with others operating under its jurisdiction and that Congress may see fit to adjust funding accordingly. The Committee is committed to outlining reforms to reduce spending and identifying appropriate discretionary savings of \$400,000,000 for Fiscal Year 2016.

Finally, with regard to any spending reduction proposals within the Committee's jurisdiction that ultimately may be contained in the President's budget, the Committee preemptively notes that it will not support reductions that would put national security or public safety at risk.

Mandatory Spending

FEDERAL JUDICIARY

The Federal Judiciary is comprised of the U.S. Supreme Court and the lower federal courts. Combined, they adjudicate criminal and civil disputes and carry out other constitutional and congressionally allocated responsibilities.

The Committee recognizes the Judiciary's essential role in providing justice to all citizens, and the workload and additional responsibilities periodically thrust upon the Judiciary due to cyclical legal developments and initiatives. The Committee understands that while the Judiciary has no control over the number of cases that are filed in the courts, it must handle each case filed and has little flexibility in how quickly it must handle many of these cases. The Judiciary's workload is heavily influenced by national policies initiated in the Executive and Legislative Branches.

The Federal Judiciary's fiscal year 2016 appropriations request totals \$7.5 billion. The request includes \$6.96 billion in discretionary appropriations, an increase of \$264.5 million above the FY 2015 enacted level. The request also includes \$571 million in mandatory appropriations, an increase of \$20.7 million above the FY 2015 enacted level. With the

recognition that budgetary restraints could impact funding, the Committee supports an FY 2016 funding level necessary for the Federal Judiciary to accomplish its mission.

Discretionary Spending

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

General Administration (GA) supports the Attorney General and the Department of Justices' senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

The Department Leadership decision unit includes the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice. Intergovernmental Relations and External Affairs includes the Offices of Public Affairs, Legislative Affairs and Tribal Justice. Executive Support and Professional Responsibility includes the Offices of Legal Policy, Professional Responsibility, Information Policy and the Professional Responsibility Advisory Office. Finally, the Justice Management Division provides advice to senior Department of Justice (DOJ) officials and develops departmental policies in the areas of management and administration, ensures compliance by DOJ components with departmental and other federal policies and regulations, and provides a full range of management and administration support services.

The President's budget includes \$119,437,000 for General Administration, which is \$7,937,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding GA at a level that will enable it to accomplish its mission.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

The Executive Office for Immigration Review (EOIR) contains the corps of Immigration Judges, the Board of Immigration Appeals, and the Office of the Chief Administrative Hearing Officer. EOIR presides over administrative immigration hearings such as removal, bond, and employer sanctions proceedings.

The Committee recognizes that EOIR's immigration court case backlogs have continued to grow, lengthening case adjudication times. The Committee also supports funding of Legal Orientation Programs for detained noncitizens at a level necessary to accomplish the goals of the program.

Timely and fair adjudication of cases in immigration courts is an essential part of effective immigration enforcement. Funding for EOIR personnel and programs must keep pace

with other immigration enforcement activities in order for the entire immigration enforcement system to function properly.

The President's budget includes \$488,381,000 for EOIR, which is \$137,309,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee recommends that EOIR be funded at a level that will enable it to achieve these goals.

OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General (OIG) is an independent office within the Department of Justice that is charged with investigating allegations of fraud, waste, abuse, and misconduct by DOJ employees, contractors, and grantees and promoting economy and efficiency in DOJ operations.

The President's budget includes \$93,709,000 for the OIG, which is \$5,132,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the OIG at a level that will allow it to sustain the number of audits, investigations, and special reviews it conducts annually to help assure Congress and the taxpayers that the substantial funding to DOJ is used efficiently, effectively, and for its intended purposes.

GENERAL LEGAL ACTIVITIES

Office of the Solicitor General

The Office of the Solicitor General supervises and processes all appellate matters and represents the United States and federal agencies in the Supreme Court. The Committee considers the work of the Solicitor General an important element of the role played by DOJ.

The President's budget includes \$11,885,000 for the Office of the Solicitor General, which is \$207,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Solicitor General's office at a level necessary to accomplish its mission.

Tax Division

The Tax Division represents the United States in virtually all litigation arising under the internal revenue laws. This work includes both a civil component as well as assistance to U.S. Attorneys in prosecuting criminal tax violations. In addition, the Division's attorneys lend their financial crimes expertise to the enforcement of other laws with financial aspects.

The President's budget includes \$113,078,000 for the Tax Division, which is \$6,404,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Tax Division at levels necessary to accomplish its mission, but notes that every additional dollar provided to the Tax Division will result in many additional dollars being recovered for the Treasury.

Criminal Division

The Criminal Division is responsible for supervising the application of all federal criminal laws except those specifically assigned to other divisions. Its mission is to identify and respond to critical and emerging national and international criminal threats, and to lead the enforcement, regulatory, and intelligence communities in a coordinated, nationwide response to reduce those threats. The Division provides expert guidance and advice to U.S. Attorneys and other federal, state, and local prosecutors and investigative agencies, as well as foreign criminal justice systems. It also oversees the use of the most sophisticated investigative tools available to federal law enforcement, including all federal electronic surveillance requests in criminal cases, and secures the return of fugitives and other assistance from foreign countries.

In addition to other initiatives, the Criminal Division uses its resources to prosecute the most significant financial crimes, including mortgage fraud, corporate fraud, and sophisticated investment fraud; coordinate multi-district financial crime cases; and assist U.S. Attorneys' Offices in financial crime cases with significant money laundering and asset forfeiture components.

The President's budget includes \$242,476,000 for the Criminal Division, which is \$64,434,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding the Criminal Division at a level necessary to accomplish its various missions.

Civil Division

The Civil Division represents the United States, its departments and agencies, Members of Congress, Cabinet officers, and other federal employees in litigation in federal and state courts. Each year it successfully defends the United States against billions of dollars in unmeritorious claims. In its affirmative litigation, the Division brings suits on behalf of the United States, primarily to recoup money lost through fraud, loan defaults, and the abuse of federal funds. As a result of the work of the Civil Division, hundreds of millions of dollars are returned to the Treasury, Medicare, and other programs annually.

The President's budget includes \$326,009,000 for the Civil Division, which is \$34,555,000 above the FY 2015 enacted level. The Committee considers the work of the Civil Division important to the mission of DOJ. Recognizing current budgetary constraints, the Committee supports funding the Civil Division at a level necessary to accomplish its mission.

Environment and Natural Resources Division

The Environment and Natural Resources Division (ENRD) enforces the Nation's civil and criminal environmental laws; defends environmental challenges to federal laws and actions; and performs a variety of other important legal activities related to the environment and our nation's natural resources. ENRD's responsibilities include litigating disputes under the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and

Liability Act (Superfund), the Endangered Species Act, and other federal environmental statutes; defending against environmental challenges to federal programs and activities; representing the United States in matters concerning the protection, use, and development of national natural resources and public lands; and litigating on behalf of individual Indians and Indian tribes.

The President's budget includes \$127,497,000 for ENRD, which is \$17,420,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding ENRD at a level necessary to accomplish its mission.

Civil Rights Division

The Civil Rights Division is responsible for enforcing federal statutes that guarantee the civil rights and constitutional rights of all Americans and prohibit discrimination on the basis of race, sex, disability, religion, and national origin. The Division enforces federal laws that protect Americans' civil rights and freedom from discrimination in education, employment, credit, housing, certain federally funded and conducted programs, and voting.

The Division has eleven sections: Appellate, Coordination and Compliance, Criminal, Disability Rights, Educational Opportunities, Employment Litigation, Housing and Civil Enforcement, Office of Special Counsel for Immigration Related Unfair Employment Practices, Special Litigation, Policy and Strategy, and Voting.

The President's budget includes \$175,015,000 for the Civil Rights Division, which is \$27,776,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Civil Rights Division at a level necessary to accomplish its various missions.

INTERPOL Washington

INTERPOL Washington facilitates cooperation and information sharing among police agencies in different countries. It is the link between more than 18,000 federal, state, and local law enforcement authorities and the 187 other member countries for INTERPOL-related matters. The main goals of INTERPOL Washington are facilitating international law enforcement cooperation; transmitting information of a criminal justice, humanitarian or other law enforcement related nature between law enforcement agencies; responding to law enforcement requests; coordinating and integrating information for investigations of an international nature, and identifying patterns and trends in criminal activities. INTERPOL Washington also actively screens all inbound international flights for passports that are reported as lost or stolen to INTERPOL and generates over 200 hits monthly that require human analysis.

The Committee supports INTERPOL Washington's continued efforts to enhance information sharing among international police authorities. The President's budget includes \$33,437,000 for INTERPOL Washington, which is \$1,437,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding INTERPOL Washington at a level allowing it to achieve its mission.

ANTITRUST DIVISION

The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles. In addition to enforcing the antitrust laws, the Antitrust Division also acts as an advocate for competition, seeking to promote competition in sectors of the economy that are or may be subject to government regulation.

The President's budget includes \$164,977,000 for the Antitrust Division, which is \$2,731,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Antitrust Division at levels necessary to accomplish its various missions.

EXECUTIVE OFFICE FOR U.S. ATTORNEYS

There are 94 U.S. Attorneys located throughout the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands. The U.S. Attorneys who lead each office are the chief law enforcement representatives of the Attorney General. Each enforces federal criminal law, handles most of the civil litigation in which the United States is involved, and initiates proceedings for the collection of fines, penalties, and forfeitures owed to the United States. For FY 2016, the Committee expects that U.S. Attorneys will continue to investigate and prosecute the diverse workload of criminal cases brought by the federal Government and will continue to initiate civil actions to assert and protect the interests of the United States.

The President's budget includes \$2,032,216,000 for the Offices of the United States Attorneys, \$72,216,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Executive Office for U.S. Attorneys at a level that will allow it to accomplish its mission.

U.S. TRUSTEE PROGRAM

The U.S. Trustee Program is charged with supervising the administration of bankruptcy cases and trustees. Its mission is to protect and preserve the integrity of the U.S. bankruptcy system by regulating the conduct of parties, ensuring compliance with applicable laws and procedures, bringing civil actions to address bankruptcy abuse, securing the just and efficient resolution of bankruptcy cases, and referring bankruptcy crimes for prosecution. The Program is self-funded through user fees paid by participants in the bankruptcy system. The Program's appropriation is offset by fees it collects during the fiscal year. These monies are paid into the U.S. Trustee System Fund. Nearly 60% of the Program's funding is subsidized by quarterly fees paid by Chapter 11 debtors. The remaining funding is derived from a portion of filing fees paid to commence bankruptcy cases, interest earnings, and other miscellaneous revenues.

The President's budget includes \$228,107,000 for the U.S. Trustee Program, which is a \$2,199,000 increase over the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the U.S. Trustee Program at a level necessary to accomplish its mission.

COMMUNITY RELATIONS SERVICE

The Community Relations Service's mission is to assist state and local governments, private and public organizations, and community groups in quelling conflicts and tensions arising from differences of race, color, and national origin. The Community Relations Service is also authorized to work with state and local governments and groups to restore racial stability and harmony while preventing, resolving, and responding to alleged violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion or disability.

The President's budget includes \$14,446,000 for the Community Relations Service, which is \$2,196,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the Community Relations Service at a level necessary to continue performing its mission.

ASSETS FORFEITURE FUND

The Assets Forfeiture Fund (AFF) was established pursuant to the Comprehensive Crime Control Act of 1984. The U.S. Marshals Service (USMS) administers the program by managing and disposing of properties seized by and forfeited to federal law enforcement agencies and U.S. Attorneys nationwide. The AFF is used to receive the proceeds of forfeiture and to pay the costs associated with forfeitures, including the costs of managing and disposing of property, satisfying valid liens, mortgages, and other innocent owner claims, and costs associated with accomplishing the legal forfeiture of the property.

The Attorney General is authorized to use the AFF to pay necessary expenses associated with forfeitures. The Fund may also be used to finance certain general investigative expenses, as those enumerated in 28 U.S.C. § 524(c). All AFF funding is provided through forfeiture activities. The Judiciary Committee will oppose any effort by the Budget Committee to permanently cancel unobligated balances in the Department of Justice's Assets Forfeiture Fund.

U.S. MARSHALS SERVICE

The U.S. Marshals Service (USMS) administers the Assets Forfeiture Program of the Justice Department; conducts investigations involving escaped federal prisoners, unregistered sex offenders, and other fugitives; ensures safety at judicial proceedings; assumes custody of individuals arrested by all federal agencies; houses and transports prisoners; and manages the Witness Security Program.

In FY 2013, the Department merged the Office of the Federal Detention Trustee with the USMS. This resulted in a new account under the U.S. Marshals Service known as Federal Prisoner Detention to fund the housing, transportation, medical care, and medical guard services for federal detainees remanded to USMS custody. The Committee supported this merger and, recognizing current budgetary constraints, supports funding the USMS at levels necessary to accomplish its various missions.

The President's budget includes \$1,230,581,000 for FY 2016 for the USMS, which is \$35,581,000 above the FY 2015 enacted level. In addition, the budget includes \$1,454,414,000 for Federal Prisoner Detention, which is \$959,107,000 above the FY 2015 enacted level.

NATIONAL SECURITY DIVISION

The National Security Division (NSD) was authorized by Congress in the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177). The NSD consists of the elements of DOJ (other than the Federal Bureau of Investigation) engaged primarily in support of the intelligence and intelligence-related activities of the United States Government, including: (1) the Assistant Attorney General for National Security, (2) the Office of Intelligence Policy and Review, (3) the counterterrorism section, (4) the counterespionage section, and (5) any other office designated by the Attorney General.

The President's budget includes \$96,596,000 for the NSD, which is \$3,596,000 above the FY 2015 enacted level. The Committee agrees that the National Security Division's workload requires maintaining adequate attorney and support personnel staffing. Recognizing current budgetary constraints, the Committee supports funding the National Security Division at a level necessary to carry out its mission.

FEDERAL BUREAU OF INVESTIGATION

The Federal Bureau of Investigation (FBI) is the Nation's largest federal law enforcement agency, charged with investigating terrorism, cybercrimes, public corruption, white-collar crime, organized crime, civil rights violations, and other federal offenses. The FBI is also the primary federal domestic counter-terrorism and counter-intelligence agency.

The President's budget includes \$8,414,625,000 for FBI Salaries and Expenses, which is \$88,056,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the FBI at levels necessary to achieve its important objectives.

DRUG ENFORCEMENT ADMINISTRATION

The Drug Enforcement Administration (DEA) is the lead federal agency tasked with reducing the illicit supply and abuse of narcotics and drugs through drug interdiction and seizing of illicit revenues and assets from drug trafficking organizations.

The President's budget includes \$2,091,609,000 for DEA, which is \$58,289,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding DEA at a level necessary to accomplish its mission.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

The mission of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is to reduce violent crime, prevent terrorism, and protect the United States through enforcing laws and regulating the firearms and explosives industries.

The level of firearms violence in this country remains an urgent issue. Recognizing the importance of prosecuting individuals who illegally obtain or possess—or attempt to obtain or possess—firearms, the Committee expects DOJ to intensify its efforts to ensure that firearms are kept out of the hands of those individuals who are prohibited by law from possessing them.

The Committee recognizes the important role that ATF can play in addressing the gaps in information available to the National Instant Criminal Background Check System (NICS) regarding mental health adjudications, commitments and other prohibiting backgrounds. The Committee supports ATF efforts to provide technical assistance to states seeking to establish relief from disability programs under the NICS Improvement Amendments Act of 2007 (NIAA) in order to assist such states in becoming eligible to participate in the NIAA grant program.

The President's budget includes \$1,261,158,000 for ATF, which is \$63,358,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding ATF at a level necessary to accomplish its missions.

FEDERAL PRISON SYSTEM

The Federal Bureau of Prisons (BOP) is responsible for the custody and care of federal offenders in prisons and community-based facilities. BOP is currently responsible for housing approximately 210,000 federal offenders, which includes sentenced inmates as well as persons awaiting trial and/or sentencing. The President's budget includes \$7,204,158,000 for BOP Salaries and Expenses, which is \$389,158,000 above the FY 2015 enacted level.

The BOP cannot control the number of inmates committed to its custody, and adequate resources are needed to assure the safety of inmates, employees, and visitors, while providing appropriate rehabilitation for offenders. Therefore, the Committee supports funding for BOP at a level that ensures that BOP can securely and humanely house all of the inmates in its care as well as fully activate its newly constructed prison facilities to help relieve prison overcrowding in existing facilities and add space for new inmates.

Recognizing current budget constraints, the Committee supports funding for BOP at a level that sustains the full operational capacity of FCI Hazelton and USP Yazoo City in FY 2016.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Committee supports the work of Federal Prison Industries, Incorporated (FPI). Statistics from the Bureau of Prisons reveal that inmates who participate in work programs are 24% less likely to offend again, 14% more likely to find work outside of prison, and less likely to have misconduct issues in prison. With the recognition that budgetary restraints could impact funding, the Committee supports funding FPI at a level necessary to support its mission.

OFFICE ON VIOLENCE AGAINST WOMEN

The mission of the Office on Violence Against Women (OVW) is to provide federal leadership in developing the nation's capacity to reduce violence against women and to

administer justice for—and strengthen services to—victims of domestic violence, dating violence, sexual assault, and stalking.

The President’s budget includes \$473,500,000 for OVW, which is \$43,500,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee recommends funding the Office on Violence Against Women at a level necessary to support its various missions.

COMMUNITY ORIENTED POLICING SERVICES

The President’s budget includes \$303,500,000 for Community Oriented Policing Services, which is \$95,500,000 above the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports eliminating any inefficient spending in the COPS Hiring program and supports funding for COPS programs at resulting appropriate levels.

OFFICE OF JUSTICE PROGRAMS

The Office of Justice Programs (OJP) works in partnership with the justice community to identify crime-related challenges confronting the justice system and to provide information, training, coordination, and strategies and approaches for addressing such challenges. OJP administers grant funding in the areas of Research, Evaluation and Statistics; Juvenile Justice Programs; and State and Local Law Enforcement Assistance.

Aware of the need for the efficient use of taxpayer funds and to avoid duplication of grant awards, the Committee notes concerns raised by the Government Accountability Office (GAO) in July 2012¹ about overlap between grant programs.

The President’s budget includes \$1,649,900,000 for OJP, which is \$112,600,000 above the FY 2015 enacted level. Recognizing the current budgetary constraints, the Committee supports funding of OJP programs at levels appropriate to ensure efficiencies in program costs and effectiveness in program administration.

Byrne Justice Assistance Grants

The Byrne Justice Assistance Grants (Byrne JAG) program provides direct grants to states and local communities for a number of criminal justice purposes. It is the only source of federal funding for multi-jurisdictional efforts to prevent, fight, and prosecute drug-related and violent crime.

The President’s budget includes \$388,000,000 for Byrne JAG, which is \$12,000,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding these programs at appropriate levels.

DNA Backlog Elimination

¹ GAO, *DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessments*, GAO-12-517 (Washington, D.C.: July 12, 2012).

The President's budget includes \$105,000,000 for DNA analysis and capacity enhancement, which is \$20,000,000 below the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports appropriate funding for the Debbie Smith DNA Backlog Grant Program.

Juvenile Justice

This account includes programs that support state, local, and tribal community efforts to develop and implement effective and coordinated prevention and intervention juvenile programs. The objectives of these programs are to reduce juvenile delinquency and crime, improve the juvenile justice system so that it protects public safety, hold offenders accountable, and provide treatment and rehabilitative services tailored to the needs of juveniles and their families.

The President's budget includes \$339,400,000 for Juvenile Justice programs, which is \$87,900,000 above the FY 2015 enacted level. For FY 2016, recognizing current budgetary constraints, the Committee supports funding the Juvenile Justice programs at appropriate levels. The Committee also supports reinstating funding for the Juvenile Accountability Block Grant program, which has been helpful in providing states resources for juvenile justice systems improvement.

Residential Substance Abuse Treatment

The Residential Substance Abuse Treatment (RSAT) program for state prisoners helps state and local governments develop, implement, and improve residential substance abuse treatment programs in correctional facilities, and provides community-based aftercare services for their probationers and parolees to assist them in remaining drug-free.

The President's budget includes \$14,000,000 for RSAT, which is \$4,000,000 above the FY 2015 enacted level. The Committee supports funding the program at appropriate levels.

Second Chance Act

The Second Chance Act of 2008 provides grants to establish and expand various adult and juvenile offender reentry programs and funds reentry-related research.

The President's budget includes \$120,000,000 for Second Chance Act and prisoner reentry programs, which is \$52,000,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding the Second Chance Act at appropriate levels.

National Criminal History Improvement and NICS Improvement Amendments Act

The National Criminal History Improvement Program (NCHIP) provides grants and technical assistance to help states and territories improve the quality, timeliness, and immediate accessibility of their criminal history and related records. NICS Improvement Amendments Act

(NIAA) grants help to address gaps in the information available to the National Instant Criminal Background Check System (NICS) by providing grants to States for the establishment or upgrade of information and identification technologies related to firearms purchasing eligibility determinations.

The President's budget includes \$50,000,000 for NCHIP, which is \$23,000,000 below the FY 2015 enacted level, and \$5,000,000 for NIAA grants, which were funded as a subset of NCHIP funding in FY 2015. With recognition of current budget restraints, the Committee supports an appropriate level of funding for these programs.

Mentally Ill Offender Act

The Mentally Ill Offender Treatment and Crime Reduction Reauthorization Improvement Act of 2008 reauthorized funding for the Adult and Juvenile Collaboration Program grants. The President's budget includes \$14,000,000 for funding under this Act, which is \$5,500,000 above the FY 2015 enacted level. With recognition of current budget restraints, the Committee supports an appropriate level of funding for these grants.

DEPARTMENT OF COMMERCE

U.S. PATENT AND TRADEMARK OFFICE

The U.S. Patent and Trademark Office (USPTO) issues patents and registers trademarks, which provide protection to inventors and businesses for their inventions and corporate and product identifications. The agency also advises other government agencies on intellectual property issues and promotes stronger intellectual property protections in other countries.

The USPTO is funded through the imposition of user fees that are paid by individuals and businesses that file for patent and trademark protection. These fees are deposited in a special account at the Treasury. Although passage of the Leahy-Smith American Invents Act resulted in additional safeguards that allow the agency to devote all fees collected toward supporting operations, as a practical matter, the agency still must be appropriated fees collected through annual appropriations acts.

The Committee therefore supports full funding for USPTO.

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

The Department of Homeland Security's Customs and Border Protection (CBP) is the federal agency principally responsible for the security of the Nation's borders, at and between the ports of entry along the border and at our seaports and airports. The Committee supports CBP's various security and immigration enforcement missions, including the work of Inspectors and Border Patrol agents who are an essential component of our immigration enforcement

system and serve as a critical shield against those who would enter the U.S. unlawfully.

The President's budget includes \$9,045,270,000 for CBP. FY 2015 funding has not yet been established. Recognizing current budgetary constraints, the Committee supports funding CBP at levels necessary to accomplish its various missions. The Committee also supports the use of funding for the addition and improvement of Border Patrol facilities.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security (DHS). Comprised of several components from the former Immigration and Naturalization Service (INS) and the U.S. Customs Service, the agency combines the investigative, detention and removal, and intelligence functions of the former INS with the investigative and intelligence functions of the former Customs Service. ICE's mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing immigration, customs, and trade.

The President's budget includes \$5,878,549,000 for ICE. FY 2015 funding has not yet been established. Recognizing current budgetary constraints, the committee supports funding ICE at levels necessary to thoroughly accomplish its missions.

U.S. SECRET SERVICE

The Secret Service is tasked with dual law enforcement missions: protection of national and visiting foreign leaders and conducting criminal investigations. Criminal investigation activities encompass financial crimes, bank fraud, mortgage fraud, identity theft, counterfeiting, and computer fraud. Secret Service protection extends to the President, Vice President, and their families, among others.

The President's budget includes \$1,867,453,000 for the Secret Service. FY 2015 funding has not yet been established. In light of recent security breaches at the White House, the Committee supports funding the U.S. Secret Service at a level necessary to accomplish its missions.

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

United States Citizenship and Immigration Services (USCIS) administers the immigration service functions described in the Immigration and Nationality Act, such as adjudicating citizenship and immigration benefit applications and petitions. USCIS is also the agency responsible for implementing and maintaining E-Verify, the federal government's electronic system that allows employers to check the work eligibility of their employees.

USCIS is for the most part a fee-based agency. The President's budget includes \$129,671,000 for USCIS. FY 2015 funding has not yet been established. Recognizing current budgetary constraints, the Committee supports funding USCIS at levels necessary to accomplish

its various naturalization and immigration benefit missions that are not covered by the immigration benefits fees.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

The Committee has long supported sufficient funding to meet the entry-exit requirements mandated first by Congress in 1996 in order to identify who is entering and exiting the U.S. and how long they stay in the country. The Committee supports the use of unobligated funds appropriated in previous years to proceed with implementation, but also recommends sufficient funding be provided to prioritize the development of an integrated master schedule for the full implementation of the legal biometric mandate. With the recognition that budgetary restraints could impact funding, the Committee recommends that the Office of Biometric Identity Management be funded at a level that will enable it to achieve full implementation.

DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF REFUGEE RESETTLEMENT (HHS)

The Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS) provides assistance and services to refugees, asylees, unaccompanied alien minors, victims of human trafficking, and certain Amerasian, Iraqi, Afghan, Cuban, and Haitian immigrants. ORR assists these populations by providing a range of services, including cash and medical assistance, housing assistance, and economic and social integration services.

The President's budget includes \$1,628,612,000 for Refugee and Entrant Assistance, which is \$68,728,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee recommends that ORR be funded at a level that will enable it to accomplish its goals.

HEALTH CARE FRAUD AND ABUSE

The Health Insurance Portability and Accountability Act (HIPAA) directed that the Department of Justice (DOJ) and the Department of Health and Human Services (HHS) establish a joint Health Care Fraud and Abuse Control (HCFAC) program. Funding to combat health care fraud is a sound investment from the standpoint of protecting our citizens and recapturing money obtained by criminals. Through these efforts, DOJ and HHS have obtained billions of dollars, allowing recoveries and payments to the Medicare Trust Fund and funding for victim programs, yielding a high Return-on-Investment for the HCFAC program. Therefore, the Committee urges appropriate funding for this program.

OFFICE OF MANAGEMENT & BUDGET

U.S. OFFICE OF THE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR (US-IPEC)

Intellectual property theft presents a substantial threat and imposes significant harm, including major economic damage, to the United States. To address this problem, the Committee authorized, through the Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008 (P.L. 110-403), the creation of an Intellectual Property Enforcement Coordinator (IPEC) within the Executive Office of the President. The IPEC chairs an interagency intellectual property enforcement advisory committee, coordinates the development of the Joint Strategic Plan against counterfeiting and infringement and provides other assistance in the coordination of intellectual property enforcement efforts. The first IPEC was appointed in December 2009. The Committee again urges the Administration to provide a detailed plan to staff the office with permanent full-time equivalents (FTEs), appropriate resources and a travel budget. This plan will assist the Committee in determining what funding levels are necessary to meet the objectives of the PRO-IP Act.

With the recognition that budgetary restraints could impact funding, the Committee supports funding the IPEC at the level necessary to enable the IPEC to fully execute her statutory duties.

OFFICE OF INFORMATION AND REGULATORY AFFAIRS

The Office of Information and Regulatory Affairs (OIRA) implements executive regulatory oversight activities under Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), among other authorities; reviews collections of information from the public; provides guidance concerning the acquisition, use and management of Federal information resources; and, coordinates policy direction on Federal statistical activities. In recent years, concerns have grown that OIRA may not have sufficient staff and resources to fully execute all of its duties.

With the recognition that budgetary restraints could impact funding, the Committee supports funding OIRA at the level necessary to enable it to fully execute its statutory and other legal duties.

FEDERAL TRADE COMMISSION

BUREAU OF COMPETITION

The Federal Trade Commission's Bureau of Competition shares jurisdiction to enforce the nation's antitrust laws with the Antitrust Division of DOJ. Recognizing current budgetary constraints, the Committee supports funding the Bureau of Competition at a level necessary to accomplish its mission.

OTHER ENTITIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

The Administrative Conference of the United States (ACUS) is an independent, nonpartisan agency that was created to analyze the federal administrative law process and to provide Congress, the President, the Judicial Conference of the United States, and federal agencies with recommendations and guidance.

The President's budget includes \$3,207,000 for ACUS, which is \$107,000 above the FY 2015 enacted level. Recognizing both current budgetary constraints and ACUS's mission to identify agency cost-saving measures, the Committee supports funding ACUS at a level necessary to accomplish its mission.

COMMISSION ON CIVIL RIGHTS

The Commission on Civil Rights was established by the Civil Rights Act of 1957, (P.L. 85-315), to serve as a bipartisan, fact-finding agency to investigate and report on the status of civil rights, and inform the development of national civil rights policy. The Committee will examine the continuing mission of the Commission and its ability to perform core functions in its current configuration and level of funding.

The President's budget includes \$9,413,000 for the Commission on Civil Rights, which is \$213,000 above the FY 2015 enacted level. The Committee supports funding the U.S. Commission on Civil Rights at levels necessary to perform its mission.

COPYRIGHT OFFICE

The U.S. Copyright Office is required by statute to advise Congress, the judiciary and other federal agencies on domestic and international copyright law and policy, to participate in international meetings and events concerning copyright and to conduct studies and programs related to its duties. The U.S. Copyright Office is responsible for registering copyright claims and renewals, vessel hull designs, and mask works; recording assignments and related documents; acquiring U.S. copyrighted works for possible inclusion in the Library of Congress collections; creating and making available records of copyright ownership; and providing copyright information to the public. The Copyright Office is engaged in a multi-year project to meet its responsibilities in this digital age by making necessary technological upgrades to its systems and processes.

The Copyright Office is funded, in part, through the collection of fees received for services rendered. The President's budget includes \$58,875,000 for the Copyright Office, which is \$4,572,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding for the Copyright Office at a level necessary for the Office to accomplish its various missions and necessary technology upgrades.

LEGAL SERVICES CORPORATION

The Legal Services Corporation (LSC) is a non-membership, non-profit corporation established by federal statute to provide funding for civil legal assistance to low-income Americans. For FY 2016 the President requested \$452,000,000 for LSC. This is a 21% (\$77,000,000) increase over LSC's FY 2015 funding level.

The President's budget submission also includes language modifying the restrictions on LSC grantees. It proposes to remove the appropriations restrictions on the use of non-LSC funds and eliminate the class actions prohibition. The Chair and Ranking Member have different views on whether those and other restrictions should be removed.

With the recognition that budgetary restraints could impact funding, many Members of the Committee, including the Chair, support allocating scarce taxpayer resources to activities more squarely within the federal government's purview, while others, including the Ranking Member, support funding LSC at its request of \$452,000,000.

OFFICE OF GOVERNMENT ETHICS

The Office of Government Ethics (OGE) is responsible for providing the overall direction of executive branch policies designed to prevent conflicts of interest and to ensure high ethical standards. In partnership with executive branch agencies and departments, OGE develops ethics training courses and other educational materials for government employees, conducts on-site reviews of existing ethics programs, and provides advice and guidance on the Standards of Ethical Conduct for Employees of the Executive Branch.

The President's budget includes \$15,742,000 for OGE, which is \$322,000 above the FY 2015 enacted level. With the recognition that budgetary restraints could impact funding, the Committee supports funding OGE at a level necessary to accomplish its various missions.

STATE JUSTICE INSTITUTE

The State Justice Institute was established by federal law in 1984 to award grants to improve the quality of justice in State courts, facilitate better coordination between State and Federal courts, and foster innovative, efficient solutions to common issues faced by all courts.

The President's budget includes \$5,121,000 for the State Justice Institute, which is the same as the FY 2015 enacted level. Recognizing current budgetary constraints, the Committee supports funding the State Justice Institute at a level necessary to accomplish its mission.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

The Privacy and Civil Liberties Oversight Board (PCLOB) is an independent agency within the executive branch established by the Implementing Recommendations of the 9/11 Commission Act to analyze and review actions the executive branch takes to protect the United

States from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties, and to ensure that liberty concerns are appropriately considered in the development and implementation of laws, regulations, and policies related to efforts to protect the Nation against terrorism. The expanding role of the Board includes the continued review of various government surveillance programs and the related activities of the Intelligence Community.

The President's budget includes \$23,297,000 for the PCLOB, which is \$15,979,000 above the FY 2015 enacted level. The increase reflects the estimated costs of locating and moving the PCLOB into permanent and appropriate facilities. Recognizing current budgetary constraints, the Committee recommends funding the PCLOB at an appropriate level so that it may fully pursue its mission.

**ADDITIONAL VIEWS OF
RANKING MEMBER JOHN CONYERS, JR.
COMMITTEE ON THE JUDICIARY
VIEWS AND ESTIMATES FOR FY 2016**

John R. Justice Prosecutor and Defender Incentive Act

The John R. Justice Prosecutor and Defender Incentive Act was enacted in 2008. The Act authorizes funding for loan repayment assistance for state and federal public defenders and state prosecutors who commit for three years. I support appropriate funding for this program, which plays an important role in protecting the Sixth Amendment rights of our citizens.

Federal Prison System

I urge that funding for the Bureau of Prisons provide for the activation of the Thomson prison in FY 2016.

A handwritten signature in blue ink that reads "John Conyers, Jr." with a horizontal line underneath it.

John Conyers, Jr.
Ranking Member
Committee on the Judiciary