

## Congressman Cuellar's FY19 CJS Appropriations Language

### 1. Immigration Judge Teams:

“The committee recommends \$630,000,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is from immigration examination fees. The recommendation is \$125,500,000 above fiscal year 2018 and \$66,593,000 above the request. The recommendation will support a total of 584 Immigration Judge teams, 100 more than funded in fiscal year 2018. Funding is also provided to annualize costs associated with the new teams funded in fiscal year 2018, provide additional law clerks to assist Immigration Judges and reduce case processing time, and upgrade information technology and facilities. The recommendation includes funding to sustain the current Legal Orientation Program and related assistance, such as the information desk pilot, at no less than current levels. The recommendation does not include any funding to establish or fund a legal representation program.

EOIR performance—For several years the Committee has been concerned with the slow pace of hiring Immigration Judges and the unacceptable amount of time it takes to resolve immigration cases. The Committee understands that the Department is working to accelerate the hiring process and is deploying additional resources to those areas with the highest workload such as the Southwest Border. Committee directs this effort to continue and that the Department coordinate with the Department of Homeland Security (DHS) to develop metrics, practices, and pilot programs to institute rapid court proceedings at holding facilities along the Southwest Border where individuals are detained at immigration violations to ensure their court appearance. The Committee notes with approval that EOIR has set new prioritization standards and court-based performance measures, as the Committees on Appropriations had directed. The Committee looks forward to seeing those efforts bear fruit in the form of more timely adjudication and reduced backlog, while ensuring due process is observed. The Committee directs EOIR to continue reporting monthly on performance and Immigration Judge hiring in the manner and level of detail as provided in fiscal year 2018. Such reports should also include information on the number of cases where visa overstay is the sole or primary factor for adjudication.

Efficiency initiatives.—The Committee understands that EOIR is considering approaches that could result in savings in time and resources, such as modifying the procedure for Immigration Judges to issue oral decisions, which currently may involve lengthy and detailed recitations of legal authorities and case analysis. Other potential approaches to streamlining operations include use of preliminary hearings or similar approaches to screening cases to address frivolous filings and reduce court time required to process them. The Committee encourages EOIR to actively explore and, if appropriate, pilot approaches that hold promise of improving the efficiency of the EOIR court system.”