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Judiciary Appropriations, FY2017

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May 15, 2017

Congressional Research Service

7-5700

www.crs.gov

R44526

Summary

Funds for the judicial branch are included annually in the Financial Services and General Government (FSGG) Appropriations bill. The bill provides funding for the Supreme Court; the U.S. Court of Appeals for the Federal Circuit; the U.S. Court of International Trade; the U.S. Courts of Appeals and District Courts; Defender Services; Court Security; Fees of Jurors and Commissioners; the Administrative Office of the U.S. Courts; the Federal Judicial Center; the U.S. Sentencing Commission; and Judicial Retirement Funds.

The judiciary's FY2017 budget request of \$7.58 billion was submitted on February 9, 2016. By law, the President includes the requests submitted by the judiciary in the annual budget submission without change.

The FY2017 budget request represents a 3.3% increase over the FY2016 enacted level of \$7.34 billion provided in the Consolidated Appropriations Act, 2016 (P.L. 114-113), Division E, Title III, enacted December 18, 2015.

The House Appropriations Committee held a markup (H.R. 5485) on June 9, 2016, and recommended a total of \$7.55 billion. The Senate Appropriations Committee held a markup (S. 3067) on June 16, 2016, and recommended a total of \$7.58 billion.

On July 5, the House agreed to a structured rule (H.Res. 794) for consideration of the Financial Services and General Government bill (H.R. 5485). One amendment (#60) related to the judiciary was made in order, and subsequently passed by voice vote. H.R. 5485 was agreed to on July 7, with a vote of 239-185 (Roll no. 398).

No further action was taken on H.R. 5485 or S. 3067 prior to the start of FY2017 on October 1, 2016, and judicial branch activities were funded through continuing appropriations resolutions (P.L. 114-223, P.L. 114-254, and P.L. 115-30) until the enactment of the Consolidated Appropriations Act, 2017 (P.L. 115-31). Division E of this act provides \$7.5 billion for the judiciary, an increase of \$176.2 million (2.4%) from FY2016 and \$63.0 million (-0.8%) less than the request.

Appropriations for the judiciary comprise approximately 0.2% of total budget authority.

This report will be updated as events warrant.

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FY2017 Consideration: Overview of Actions

The first section of this report provides an overview of the consideration of FY2017 judiciary appropriations, with subsections covering each major action, including

- the initial submission of the request on February 9, 2016;
- hearings held by the House and Senate Financial Services Subcommittees;
- the House subcommittee markup on May 25, 2016;
- the House Appropriations Committee markup on June 9, 2016;
- the Senate subcommittee markup on June 15, 2016;
- the Senate Appropriations Committee markup on June 16, 2016;
- House floor consideration of H.R. 5485 on July 5, July 6, and July 7, 2016; and
- the continuing resolutions and the enactment of the Consolidated Appropriations Act, 2017, on May 5, 2017.

The status is summarized in **Table 1**. This overview is followed by a section on prior-year actions and funding. The report then provides an overview of judiciary accounts.

Table 1. Status of Judiciary Appropriations, FY2016

| Committee Markup | | Conference Report Approval | | | | | | | |
|------------------|---------|----------------------------|------------------|-----------------|----------------|-------------------|-------|--------|-------------------------------------|
| House | Senate | House Report | House Passage | Senate Report | Senate Passage | Conference Report | House | Senate | Public Law |
| 6/9/16 | 6/16/16 | H.Rept. 114-624; H.R. 5485 | 7/7/2016 239-185 | S.Rept. 114-280 | | | | | 5/5/2017 (P.L. 115-31) (Division E) |

Source: Congressional Research Service examination of data from <http://congress.gov/>.

Note: The House subcommittee held its markup on May 25, 2016. The Senate subcommittee held its markup on June 15, 2016.

Submission of FY2017 Budget Request on February 9, 2016

The *Budget for Fiscal Year 2017* was submitted on February 9, 2016. It contains a request for \$7.58 billion in new budget authority for judicial branch activities, including \$6.99 billion in discretionary funds and \$0.59 billion in mandatory funding for judges' salaries and benefits.¹ By law, the judicial branch request is submitted to the President and included in the budget submission without change.²

¹ Office of Management and Budget, *Appendix, Budget of the United States Government, FY2017* (Washington: GPO, 2016), pp. 45-56, available at <https://www.whitehouse.gov/sites/default/files/omb/budget/fy2017/assets/jud.pdf>.

² Pursuant to 31 U.S.C. 1105, "Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget ... shall be submitted to the President ... and included in the budget by the President without change." Division C of the FY2012 Consolidated Appropriations Act (P.L. 112-74) added language to 31 U.S.C. 1107 relating to budget amendments, stating: "The President shall transmit promptly to Congress without change, proposed deficiency and supplemental appropriations submitted to the President by the legislative branch and the judicial branch."

Senate and House Hearings on the FY2016 Budget Request

Neither the House nor Senate Appropriations Subcommittees on Financial Services held hearings on the FY2017 judicial branch budget request. The House subcommittee announced that it would accept programmatic and language submissions from Members through March 17, 2016.

House Appropriations Committee Subcommittee on Financial Services and General Government Markup

On May 25, the House Appropriations Committee Subcommittee on Financial Services and General Government held a markup of the FY2017 Financial Services and General Government (FSGG) bill. The subcommittee recommended \$7.55 billion in funds for the judiciary, including mandatory funds for judges' salaries and benefits as required under current law.

House Appropriations Committee Markup

On June 9, 2016, the House Appropriations Committee held a markup of the FY2017 FSGG bill. The committee recommended \$7.55 billion in funds for the judiciary, including mandatory funds for judges' salaries and benefits as required under current law. The bill was ordered reported by a vote of 30-18 (H.R. 5485, H.Rept. 114-624). No amendments were offered related to the judiciary.

Senate Appropriations Committee Subcommittee on Financial Services and General Government Markup

On June 15, the Senate Appropriations Committee Subcommittee on Financial Services and General Government held a markup of the FY2017 FSGG bill. The subcommittee recommended \$7.58 billion in funds for the judiciary, including mandatory funds for judges' salaries and benefits as required under current law.

Senate Appropriations Committee Markup

On June 16, 2016, the Senate Appropriations Committee held a markup of the FY2017 FSGG bill. The committee recommended \$7.58 billion in funds for the judiciary, including mandatory funds for judges' salaries and benefits as required under current law. The bill was ordered reported by a vote of 30-0 (S. 3067, S.Rept. 114-280). No amendments were offered related to the judiciary.

House Floor Consideration

On July 5, the House agreed to a structured rule (H.Res. 794, H.Rept. 114-639) for consideration of the Financial Services and General Government bill (H.R. 5485). One amendment (#60) related to the judiciary was made in order. The amendment would reduce funding to the Salaries and Expenses Account under the Courts of Appeals, District Courts, and other Judicial Services heading by \$1 million.

On July 7, amendment #60 was offered as part of en bloc amendment (H.Amdt. 1246), and was passed by voice vote. H.R. 5485, as amended, was agreed to on July 7, with a vote of 239-185 (Roll no. 398).

Passage of Continuing Appropriations Resolutions and Enactment of the FY2017 Consolidated Appropriations Act

No further action was taken on H.R. 5485 or S. 3067 prior to the start of FY2017 on October 1, 2016. Judicial branch activities were funded through continuing appropriations resolutions (P.L. 114-223, P.L. 114-254, and P.L. 115-30) until the enactment of the Consolidated Appropriations Act, 2017 (P.L. 115-31). Division E of this act provides \$7.5 billion for the judiciary, an increase of \$176.2 million (2.4%) from FY2016 and \$63.0 million (-0.8%) less than the request.

Funding in Recent Years: Brief Overview

FY2016

FY2016 judiciary funding was provided in Division E, Title 3, of the Consolidated Appropriations Act, 2016 (P.L. 114-113), which was enacted on December 18, 2015. The \$7.344 billion provided by the act represented an increase of \$73.9 million (1.0%) from FY2015 and was \$184.1 million (-2.5%) less than the judiciary's request.

FY2015

FY2015 judiciary funding was provided in Division E, Title 3, of the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235), which was enacted on December 16, 2014. The \$7.261 billion provided by the act represented an increase of \$221.9 million (3.2%) from FY2014 and was \$37.9 million (-0.5%) less than the judiciary's request.

FY2014

Neither a Financial Services and General Government Appropriations bill nor a continuing appropriations resolution (CR) containing FY2014 funding was enacted prior to the beginning of the fiscal year on October 1, 2013. A funding gap, which resulted in a partial government shutdown, ensued for 16 days.³ The funding gap was terminated by the enactment of a CR (P.L. 113-46) on October 17, 2013. The CR provided funding through January 15, 2014. Following enactment of a temporary continuing resolution on January 15, 2014 (P.L. 113-73), a consolidated appropriations bill was enacted on January 17 (P.L. 113-76), providing \$7.039 billion for the judiciary for FY2014.

The Judiciary Budget and Key Issues

Appropriations for the judiciary comprise approximately 0.2% of total budget authority.⁴

Two accounts that fund the Supreme Court (the salaries and expenses of the Court and the expenditures for the care of its building and grounds, which are the responsibility of the Architect

³ The judiciary, however, did not experience a lapse in appropriations, as revenue from non-appropriated sources was available for use during the entirety of the shutdown. See CRS Report RL34680, *Shutdown of the Federal Government: Causes, Processes, and Effects*, coordinated by Clinton T. Brass.

⁴ Calculations by CRS with data from *Historical Tables, Budget of the United States Government, FY2017*, Table 5.2—Budget Authority By Agency: 1976–2020, available at <http://www.whitehouse.gov/omb/budget/Historicals>.

of the Capitol) together total approximately 1% of the total judiciary budget. The rest of the judiciary's budget provides funding for the lower federal courts and related judicial services.

The largest account, approximately 72% of the total FY2017 enacted level, is the Salaries and Expenses account for the U.S. Courts of Appeals, District Courts, and Other Judicial Services. This covers the “salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the U.S. Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the federal judiciary not otherwise specifically provided for,” and “necessary expenses of the courts.” Two other large accounts provide funds for Defender Services (13.9%) and Court Security (7.5%).

The remaining judiciary budget is divided among the U.S. Court of Appeals for the Federal Circuit (0.4% of FY2016 enacted), U.S. Court of International Trade (0.3%), Fees of Jurors and Commissioners (0.5%), Administrative Office of the U.S. Courts (1.2%), Federal Judicial Center (0.4%), U.S. Sentencing Commission (0.2%), and Judicial Retirement Funds (2.1%).

Three specialized courts within the federal court system are not funded under the judiciary budget: the U.S. Court of Appeals for the Armed Forces (funded in the Department of Defense appropriations bill), the U.S. Court of Appeals for Veterans Claims (funded in the Military Construction, Veterans Affairs, and Related Agencies appropriations bill), and the U.S. Tax Court (funded under Independent Agencies, Title V, of the FSGG bill). Federal courthouse construction is funded within the General Services Administration account under Independent Agencies, Title V, of the FSGG bill.

The judiciary uses non-appropriated funds to help offset its funding requirements. The majority of these non-appropriated funds are from fee collections, primarily court filing fees. These monies are used to offset expenses within the Salaries and Expenses accounts of Courts of Appeals, District Courts, and Other Judicial Services. Some of these funds may be carried forward from one year to the next. These funds are considered “unencumbered” because they result from savings from the judiciary's financial plan in areas where budgeted costs did not materialize. According to the judiciary, such savings are usually not under its control (e.g., the judiciary has no control over the confirmation rate of Article III judges and must make its best estimate on the needed funds to budget for judgeships, rent costs, and technology funding for certain programs). The budget request and appropriations figures presented here reflect the net resources for the judiciary, and do not include these offsetting non-appropriated funds.

The judiciary also has “encumbered” funds—no-year authority funds appropriated for specific purposes. These are used when planned expenses are delayed, from one year to the next (e.g., costs associated with office space delivery, and certain technology needs and projects).

Cost Containment

The judiciary continues its cost-containment efforts begun over a decade ago. Specific areas of focus include office space rental, personnel expenses, information technology, and operating costs.

In a press release accompanying the submission of the FY2017 budget, Judge Julia S. Gibbons, chair of the Budget Committee of the Judicial Conference of the United States,⁵ stressed the

⁵ The Judicial Conference of the United States is the principal policymaking body for the federal courts system. The Chief Justice of the Supreme Court is the presiding officer of the conference, which comprises the chief judges of the 13 courts of appeals, a district judge from each of the 12 geographic circuits, and the chief judge of the Court of (continued...)

results and ongoing efforts of the judiciary’s formal cost-containment initiatives, which began in 2004. “Our budget request is reflective of the cost-containment policies we have put in place and reducing cost growth in the Judiciary’s budget continues to be a top priority,” said Judge Gibbons.⁶ Current efforts focus on implementation of shared administrative services among various courts, as well as reducing the judiciary’s space footprint. In response to a November 2015 Government Accountability Office (GAO) report on judicial branch cost savings (GAO-16-97), the judiciary is reevaluating its methodologies and reporting practices for cost savings accounting.

In 2015, Judge Gibbons reported that the judiciary has achieved a cost reduction of “nearly \$1.5 billion relative to [the] projected requirements” over the past 10 years. In 2013, the Judicial Conference set a goal of a 3% reduction in total space. According to Judge Gibbons, as of March 2015, 30% of that goal has been reached, resulting in \$5.8 million in rent savings, and the judiciary “is on track to accomplish the full three percent reduction by the end of fiscal year 2018.”⁷

Judicial Security⁸

The safe conduct of court proceedings and the security of judges in courtrooms and off-site has been a concern in recent years. Efforts to improve judicial security have been spurred by the double homicide of family members of a federal judge in Chicago in 2005; the Atlanta killings, in 2005, of a state judge, a court reporter, and a sheriff’s deputy at a courthouse; the sniper shooting of a state judge in his Reno office in 2006; and the wounding of a deputy U.S. marshal and killing of a court security officer at the Lloyd D. George U.S. Courthouse and Federal Building in Las Vegas in 2010.⁹ An FY2005 supplemental appropriations act¹⁰ included a provision that provided intrusion detection systems for judges in their homes, and the Court Security Improvement Act of 2007¹¹ aimed to enhance security for judges and court personnel, as well as courtroom safety for the public.

The judiciary has been working closely with the U.S. Marshals Service (USMS) to ensure that adequate protective policies, procedures, and practices are in place. The FY2017 appropriation continued a pilot program for the USMS to assume responsibility for perimeter security at selected courthouses that were previously the responsibility of the Federal Protective Service (FPS). This pilot was first authorized in FY2009 as a result of the judiciary’s stated concerns that FPS was not providing adequate perimeter security. After the initial planning phase, USMS implemented the pilot program on January 5, 2009, and assumed primary responsibility for

(...continued)

International Trade.

⁶ See U.S. Courts, “Judiciary Transmits Fiscal Year 2017 Budget Request to Congress,” Press Release, February 12, 2016, <http://www.uscourts.gov/news/2016/02/12/judiciary-transmits-fiscal-year-2017-budget-request-congress>.

⁷ Statement of Honorable Julia S. Gibbons, Chair, Committee on the Budget of the Judicial Conference of the United States, U.S. House, Committee on Appropriations Subcommittee on Financial Services and General Government, March 24, 2015, pp. 3-4.

⁸ For an analysis of court security and federal building security in general, see CRS Report R41138, *Federal Building, Courthouse, and Facility Security*, by Lorraine H. Tong and Shawn Reese.

⁹ Steve Friess, “Two Killed in Las Vegas Courthouse,” *The New York Times*, January 4, 2010, available at <http://www.nytimes.com/2010/01/05/us/05vegas.html>.

¹⁰ P.L. 109-13.

¹¹ P.L. 110-177.

security functions at seven courthouses located in Chicago, Detroit, Phoenix, New York, Tucson, and Baton Rouge (location of two of the seven courthouses). The judiciary and USMS have been evaluating the program and identifying areas for improvement. The judiciary reimburses USMS for the protective services.

Judgeships

Following its biennial evaluation and review of judgeship needs, the Judicial Conference of the United States, in March 2017, recommended Congress create 57 new federal judgeships: 5 in the courts of appeals and 52 in the district courts.¹² Several bills have been introduced in recent Congresses to create one or more new judgeships; no action beyond committee referral has occurred on any of the bills. The Conference made a similar request in the 114th Congress, recommending a total of 73 new judgeships. Subsequent legislation was introduced in both the House and Senate to address this request, but no final action was taken before the 114th Congress adjourned.

Since the enactment of an omnibus judgeship bill in 1990 (P.L. 101-650), according to the Judicial Conference, the number of appellate judgeships has remained at 179 while appellate court case filings have increased by 40%. During this same time period, Congress enacted legislation that increased the number of district judgeships by 5% (from 645 to 677) while district court case filings increased by 38%.¹³

Judiciary Accounts and Funding

The FY2017 judiciary budget request totals \$7.53 billion. **Table 2** lists the amounts enacted for FY2016, the President's FY2017 request, the House-passed level in H.R. 5485, the committee-reported level in the Senate, and the FY2017 enacted level..

Table 2. The Judiciary Appropriations, FY2016-FY2017
(in millions of dollars)

| | FY2016 Enacted | FY2017 Requested | FY2017 House- Passed | FY2017 Senate Committee Reported | FY2017 Enacted |
|--|---------------------------|-----------------------------|-------------------------------------|---|---------------------------|
| Supreme Court (total) | 88 | 95 | 95 | 95 | 95 |
| <i>Salaries and Expenses</i> | 78 | 80 | 80 | 80 | 80 |
| <i>Building and Grounds</i> | 10 | 15 | 15 | 15 | 15 |
| U.S. Court of Appeals for the Federal Circuit | 34 | 33 | 33 | 33 | 33 |
| U.S. Court of International Trade | 20 | 20 | 20 | 20 | 20 |

¹² The Judicial Conference also recommended that eight additional temporary district court judgeships be made permanent. See http://www.uscourts.gov/sites/default/files/2017_judicial_conference_judgeship_recommendations_0.pdf for a list of the Conference's judgeship recommendations.

¹³ See U.S. Courts, "Judicial Conference Asks Congress to Create New Judgeships," Press Release, March 14, 2017, <http://www.uscourts.gov/news/2017/03/14/judicial-conference-asks-congress-create-new-judgeships>.

| | FY2016 Enacted | FY2017 Requested | FY2017 House- Passed | FY2017 Senate Committee Reported | FY2017 Enacted |
|---|---------------------------|-----------------------------|-------------------------------------|---|---------------------------|
| Courts of Appeals, District Courts, and Other Judicial Services (total) | 6,915 | 7,141 | 7,105 | 7,136 | 7,076 |
| <i>Salaries and Expenses</i> | 5,321 | 5,476 | 5,433 | 5,470 | 5,420 |
| <i>Defender Services</i> | 1,005 | 1,056 | 1,056 | 1,054 | 1,045 |
| <i>Fees of Jurors and Commissioners</i> | 44 | 44 | 44 | 40 | 40 |
| <i>Court Security</i> | 538 | 565 | 565 | 565 | 565 |
| <i>Vaccine Injury Trust Fund</i> | 6 | 6 | 6 | 6 | 7 |
| Administrative Office of the U.S. Courts | 86 | 88 | 88 | 88 | 88 |
| Federal Judicial Center | 28 | 28 | 28 | 28 | 28 |
| United States Sentencing Commission | 18 | 18 | 18 | 18 | 18 |
| Judicial Retirement Funds | 155 | 161 | 161 | 161 | 161 |
| Total: The Judiciary | 7,344 | 7,584 | 7,548 | 7,579 | 7,520 |

Sources: P.L. 114-113 (Division E) and explanatory statement; Judicial Branch FY2017 Budget Request; H.R. 5485; H.Rept. 114-624; S. 3067; S.Rept. 114-280; P.L. 115-31.

Notes: All figures are rounded, and column sums may not equal the total due to rounding. Figures include mandatory costs associated with Article III judicial salaries.

Supreme Court

The total FY2017 request for the Supreme Court, \$94.5 million, is contained in two accounts: (1) Salaries and Expenses of \$79.3 million and (2) Care of the Building and Grounds of \$14.9 million. The total represents a 7.0% increase over the FY2016 enacted level. The House-passed and Senate committee-reported bills provided the full request, as does P.L. 115-31.

U.S. Court of Appeals for the Federal Circuit

This court, consisting of 12 judges, has jurisdiction over and review of among other things, certain lower court rulings on patents and trademarks, international trade, and federal claims cases. The FY2017 budget request is \$33.1 million, a decrease of 2.1% over the FY2016 enacted level. The House-passed and Senate committee-reported bills provided the full request, as does P.L. 115-31.

U.S. Court of International Trade

This court has exclusive nationwide jurisdiction over the 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 as well as enforcement of federal customs and international trade laws. The FY2017 request of \$20.50 million is an increase of 1.7% over the FY2016 enacted level. The House-passed and Senate committee-reported bills provided the full request. P.L. 115-31 provides \$20.46 million.

Courts of Appeals, District Courts, and Other Judicial Services

The total FY2017 funding request of \$7,141.5 million covers 12 of the 13 courts of appeals and 94 district judicial courts located in the 50 states, District of Columbia, Commonwealth of Puerto Rico, Commonwealth of the Northern Mariana Islands, and the territories of Guam and the U.S. Virgin Islands. The account is divided among salaries and expenses, the Vaccine Injury Compensation Trust Fund, court security, defender services, and fees of jurors and commissioners. The House-passed bill provided \$7,104.7 million and the Senate committee-reported bill provided \$7,135.8 million. P.L. 115-31 provides \$7,076.9 million.

Salaries and Expenses

The FY2017 request for this account is \$5,469.8 million, an increase of 2.8% over the FY2016 enacted level. The House-passed bill provided \$5,433.0 million and the Senate committee-reported bill provided \$5,476.0 million. P.L. 115-31 provides \$5,420.4 million.

Vaccine Injury Compensation Trust Fund

Established to address a perceived crisis in vaccine tort liability claims, the Vaccine Injury Compensation Program funds a federal no-fault program that protects the availability of vaccines in the nation by diverting a substantial number of claims from the tort arena. The FY2017 request is \$6.3 million, a 3.5% increase over the FY2016 enacted level. The House-passed and Senate committee-reported bills provided the full request. P.L. 115-31 provides \$6.5 million.

Court Security

This account provides for protective services, security systems, and equipment needs in courthouses and other federal facilities to ensure the safety of judicial officers, employees, and visitors. Under this account, the majority of funding for court security is transferred to the U.S. Marshals Service to pay for court security officers under the Judicial Facility Security Program. The FY2017 request is \$565.4 million, an increase of 5.1% over the FY2016 enacted level. The House-passed and Senate committee-reported bills provided the full request, as does P.L. 115-31.

Defender Services

This account funds the operations of the federal public defender and community defender organizations, and compensation, reimbursements, and expenses of private practice panel attorneys appointed by federal courts to serve as defense counsel to indigent individuals. The cost for this account is driven by the number and type of prosecutions brought by U.S. attorneys. The FY2017 request is \$1,056.3 million, an increase of 5.1% over the FY2016 enacted level. The House-passed bill provided the full request, while the Senate committee-reported bill provided \$1,054.5 million. P.L. 115-31 provides \$1,044.6 million.

Fees of Jurors and Commissioners

This account funds the fees and allowances provided to grand and petit jurors, and compensation for jury and land commissioners. The FY2017 request is \$43.7 million, a decrease of 1.1% over the FY2016 enacted level. The House-passed bill provided the full request, while the Senate committee-reported bill provided \$39.9 million. P.L. 115-31 provides \$39.9 million.

Administrative Office of the U.S. Courts (AOUSC)

As the central support entity for the judiciary, the AOUSC provides a wide range of administrative, management, program, and information technology services to the U.S. courts. AOUSC also provides support to the Judicial Conference of the United States, and implements conference policies and applicable federal statutes and regulations. The FY2017 request for AOUSC is \$87.7 million, an increase of 2.4% over the FY2016 enacted level. The House-passed bill provided \$87.5 million, while the Senate committee-reported bill provided the full request. P.L. 115-31 provides \$87.5 million.

Federal Judicial Center

As the judiciary's research and education entity, the Federal Judicial Center undertakes research and evaluation of judicial operations for the Judicial Conference committees and the courts. In addition, the center provides judges, court staff, and others with orientation and continuing education and training. The center's FY2017 request is \$28.3 million, an increase of 2.2% over the FY2016 enacted level. The House-passed bill provided \$28.2 million and the Senate committee-reported bill provided the full request. P.L. 115-31 provides the full request.

United States Sentencing Commission

The commission promulgates sentencing policies, practices, and guidelines for the federal criminal justice system. The FY2017 request is \$18.2 million, an increase of 3.3% over the FY2016 enacted level. The House-passed bill provided \$18.0 million and the Senate committee-reported bill provided \$18.2 million. P.L. 115-31 provides \$18.1 million.

Judiciary Retirement Funds

This mandatory account provides for three trust funds that finance payments to retired bankruptcy and magistrate judges, retired Court of Federal Claims judges, and the spouses and dependent children of deceased judicial officers. The required funding for the account fluctuates with the periodic revisions of the estimated costs of retirement benefits. The FY2017 request is for \$161.0 million. The House-passed and Senate committee-reported bills provided the full request, as does P.L. 115-31.

Administrative Provisions

P.L. 115-31 contains provisions related to (1) salaries and expenses for employment of experts and consultant services; (2) transfers between judiciary appropriations accounts of up to 5%; (3) a limitation of \$11,000 for official reception and representation expenses incurred by the Judicial Conference of the United States; (4) language enabling the judiciary to contract for repairs under \$100,000; (5) the continuation of a court security pilot program; (6) a one-year extension of the authorization of certain temporary judgeships.

Appendix. Fiscal Year Information and Resources

Table A-1. Overview of Judiciary Appropriations: FY2008-FY2016

House, Senate, Conference, and CRS Reports and Related Legislative Vehicles

| Fiscal Year | House | Senate | Conference | Enacted | Enactment Vehicle Title | CRS Report |
|-------------|--------------------------------|------------------------------|---|------------------------------|---|--|
| 2016 | H.Rept. 114-194 (H.R. 2995) | S.Rept. 114-97 (S. 1910) | explanatory materials inserted into the <i>Congressional Record</i> (H.R. 2029) | 12/18/2015 (P.L. 114-113) | Consolidated Appropriations Act, 2016 | CRS Report R44078, <i>Judiciary Appropriations FY2016</i> , by Matthew E. Glassman |
| 2015 | H.Rept. 113-508 (H.R. 5016) | — | explanatory materials inserted into the <i>Congressional Record</i> (H.R. 83) | 12/16/2014 (P.L. 113-235) | Consolidated and Further Continuing Appropriations Act, 2015 | CRS Report R44172, <i>Financial Services and General Government (FSGG): FY2015 Appropriations</i> |
| 2014 | H.Rept. 113-172 (H.R. 2786) | S.Rept. 113-80 (S. 1371) | explanatory materials inserted into the <i>Congressional Record</i> (H.R. 3547) | 1/17/2014 (P.L. 113-76) | Consolidated Appropriations Act, 2014 | CRS Report R43352, <i>Financial Services and General Government (FSGG): FY2014 Appropriations</i> |
| 2013 | H.Rept. 112-550 (H.R. 6020) | S.Rept. 112-177 (S. 3301) | — | 3/26/2013 (P.L. 113-6) | Consolidated and Further Continuing Appropriations Act, 2013 | CRS Report R42730, <i>Financial Services and General Government: FY2013 Appropriations</i> |
| 2012 | H.Rept. 112-136 (H.R. 2434) | S.Rept. 112-79 (S. 1573) | H.Rept. 112-331 (H.R. 2055) | 12/23/2011 (P.L. 112-74) | Consolidated Appropriations Act, 2012 | CRS Report R42008, <i>Financial Services and General Government: FY2012 Appropriations</i> |
| 2011 | — | S.Rept. 111-238 (S. 3677) | — | 4/15/2011 (P.L. 112-10) | Department of Defense and Full-Year Continuing Appropriations Act, 2011 | CRS Report R41340, <i>Financial Services and General Government (FSGG): FY2011 Appropriations</i> |
| 2010 | H.Rept. 111-202 (H.R. 3170) | S.Rept. 111-43 (S. 1432) | H.Rept. 111-366 (H.R. 3288) | 12/16/2009 (P.L. 111-117) | Consolidated Appropriations Act, 2010 | CRS Report R40801, <i>Financial Services and General Government (FSGG): FY2010 Appropriations</i> |
| 2009 | H.Rept. 110-920 (H.R. 7323) | S.Rept. 110-417 (S. 3260) | explanatory materials inserted into the <i>Congressional Record</i> and issued in a committee print (H.R. 1105) | 3/11/2009 (P.L. 111-8) | Omnibus Appropriations Act, 2009 | CRS Report RL34523, <i>Financial Services and General Government (FSGG): FY2009 Appropriations</i> |

| Fiscal Year | House | Senate | Conference | Enacted | Enactment Vehicle Title | CRS Report |
|--------------------|--------------------------------|--------------------------------|---|------------------------------|---------------------------------------|--|
| 2008 | H.Rept. 110-207 (H.R. 2829) | S.Rept. 110-129 (H.R. 2829) | explanatory materials inserted into the <i>Congressional Record</i> (H.R. 2764) | 12/26/2007 (P.L. 110-161) | Consolidated Appropriations Act, 2008 | CRS Report RL33998, <i>Financial Services and General Government (FSGG): FY2008 Appropriations</i> |

Source: Congressional Research Service examination of data from <http://congress.gov>.

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