

Omnibus Appropriations for Fiscal Year (FY) 2018: Department of Justice (DOJ)

On March 23, 2018, President Trump [signed](#) the omnibus Consolidated Appropriations Act of 2018 ([H.R. 1625](#)). This document provides an overview of the Department of Justice's (DOJ) [appropriations](#) for its immigration-related responsibilities and compares them to the amounts appropriated for FY 2017.

Department of Justice

FY 2018 Omnibus Enacted Discretionary Funding for DOJ: \$30.3 billion [FY 2017 Omnibus Enacted: \$28.9 billion; 5 percent increase].

Executive Office for Immigration Review (EOIR): \$504.5 million. [FY 2017 Omnibus Enacted: \$440 million; 15 percent increase]. The appropriation includes:

- Funding for at least 100 new Immigration Judge (IJ) Teams (consisting of an immigration judge, judicial law clerk, legal assistant, and three administrative support staff) to help reduce the extensive backlog of pending immigration cases. The bill directs EOIR to accelerate the hiring process with a goal of fielding 484 IJ teams nationwide by 2019.
- A transfer of \$4 million from the Department of Homeland Security's (DHS) Immigration Examinations Fee Account, which is funded by immigrants applying for immigration status or visas.
- DOJ noted in its FY 2019 budget request document that DHS enforcement efforts have significantly increased and that it is "critically important that EOIR has sufficient resources to keep pace with DHS enforcement efforts."

U.S. Marshals Service (USMS): \$2.901 billion [FY 2017 Omnibus Enacted: \$2.713 billion; 7 percent increase].

- USMS's responsibilities include providing for the security of federal court facilities, judges, and other government personnel; apprehending fugitives; and exercising custody of federal prisoners (including unauthorized immigrants referred for criminal prosecution) and providing for their security and transportation to detention facilities and court proceedings.

U.S. Attorneys: \$2.14 billion [FY 2017 Omnibus Enacted: \$2.038 billion; 5 percent increase].

- "Criminal immigration prosecutions" will likely continue to be the largest category of criminal cases handled in the offices of U.S. Attorneys. The bill also emphasizes prosecutions for both human and opioid trafficking cases. Funds above the request level must be allocated to districts with the highest demonstrable workload.

- One of the U.S. Attorneys' responsibilities is to defend civil actions brought by immigration detainees, including petitions for bond hearings, challenges to denial of parole, and expedited removal proceedings.

Federal Bureau of Prisons (BOP): \$7.28 billion [FY 2017 Omnibus Enacted: \$7.141 billion; 2 percent increase].

- This funding item includes \$162 million for the “construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates,” which includes non-citizen inmates.
- The bill directs BOP to “offer Immigration and Customs Enforcement (ICE) the first opportunity to take into custody and remove individuals with pending federal [immigration] detainers in order to preclude BOP from automatically deferring to states and municipalities.”

Community Relations Service: \$15.5 million [FY 2017 Omnibus Enacted: \$15.5 million; No change].

- The Community Relations Service provides assistance to state and local communities in the prevention and resolution of tension, violence and civil disorders relating to actual or perceived discrimination on the basis of race, color or national origin. It works with communities to prevent and respond to hate crimes and address tension associated with alleged discrimination.

Office of Justice Programs (OJP) Discretionary Funding: \$2.167 billion [FY 2017 Omnibus Enacted: \$1.691 billion; 28 percent increase].

- Among other things, the Office of Justice Programs (OJP) works to address public safety needs by supporting law enforcement, prosecution and courts, corrections, and crime reduction programs in state, local, and tribal jurisdictions.
- The bill adopts language directing the DOJ to ensure that all applicants for Edward Byrne Memorial Justice Assistance Grants (Byrne-JAG), Community Oriented Policing Services (COPS) and State Criminal Alien Assistance Program (SCAAP) funds are in “compliance with all applicable Federal laws.”
- **Edward Byrne Memorial Justice Assistance Grants (Byrne-JAG): \$415.5 million** [FY 2017 Omnibus Enacted: \$396 million; 5 percent increase]. The Byrne-JAG program is the leading source of federal justice funding to state and local jurisdictions. This program helps support a broad range of programs in areas including law enforcement, prosecution, courts, crime prevention and education, among other areas.
- **Community Oriented Policing Services (COPS): \$275.5 million** [FY 2017 Omnibus Enacted: \$259 million; 6 percent increase]. The mission of COPS is to advance public safety through the practice of community policing.
- **State Criminal Alien Assistance Program (SCAAP): \$240 million** [FY 2017 Omnibus Enacted: \$210 million; 14 percent increase]. SCAAP provides

federal payments to states and localities that incurred correctional costs for incarcerating undocumented immigrants.

- **Victims of Trafficking Grant Program: \$77 million** [FY 2017 Omnibus Enacted: \$45 million; 71 percent increase]. This program helps combat human trafficking and provides services to trafficking victims.

Office on Violence against Women: \$492 million [FY 2017 Omnibus Enacted: \$501.4 million; 2 percent decrease].

- The Office on Violence against Women administers programs aimed at reducing violence against women (including immigrant women) and providing assistance for victims of domestic violence.