

STATEMENT OF
HONORABLE JOHN W. LUNGSTRUM, CHAIR
COMMITTEE ON THE BUDGET OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
BEFORE THE
SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES

February 24, 2021

INTRODUCTION

Chairman Quigley, Ranking Member Womack, and members of the Subcommittee, my name is John Lungstrum, and I am pleased to appear before you today to present and defend the budget request of the federal judiciary. I am a senior United States district judge in the District of Kansas, but I am appearing here today in my capacity as Chair of the Judicial Conference Committee on the Budget. In that role, I help to formulate a budget request for the branch that is accurate, realistic, and transparent to ensure that Congress understands what we have requested and why those resources are critically needed for the effective and efficient administration of justice.

My testimony today will address the impact of the COVID-19 pandemic on federal court operations and resource needs, FY 2021 funding outcomes, our FY 2022 discretionary appropriations request, and our longstanding cost-containment program. Within each of these topics, my remarks will focus on the funding and activities that are overseen by the Judicial Conference. That includes the operations of bankruptcy, district, and appellate courts and

probation and pretrial services offices; court-appointed counsel for federal defendants who are financially unable to obtain adequate representation; court security; and federal jury costs.

Other portions of the judiciary's budget, including the U.S. Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, the Federal Judicial Center, and the U.S. Sentencing Commission, are outside of the purview of the Judicial Conference, and each of these entities formulate their own budget requests. The leaders of these organizations have prepared written statements that describe their budgetary needs and priorities.

I am joined here today by Judge Roslynn R. Mauskopf, the Director of the Administrative Office of the United States Courts and Secretary to the Judicial Conference, who will address the budget request of the Administrative Office and several Judicial Conference priorities beyond the judiciary's own budget.

IMPACT OF COVID-19 PANDEMIC ON THE FEDERAL JUDICIARY

I begin by discussing the impact of the COVID-19 pandemic on the federal judiciary. Like other institutions throughout the world, the operations of the federal judiciary continue to be significantly disrupted by the COVID-19 pandemic. Most judiciary personnel nationwide remain in telework status, many grand jury proceedings and jury trials have been postponed, civil litigation has slowed, courts and federal defenders are using video and teleconferencing technology for proceedings in criminal cases and for other court matters to the extent practicable, and probation and pretrial services officers are using new and innovative approaches, such as videoconferencing and social media monitoring, to supervise remotely offenders released from prison and defendants awaiting trial. The judicial branch's more than 33,000 dedicated professionals – like public and private sector workers everywhere – continue to perform their duties admirably during this period of great uncertainty. We have successfully adapted many of

our processes and proceedings to the current public health environment to keep court dockets moving where possible, but we anticipate a backlog of cases will flood the federal court system once vaccination becomes widespread and society begins a return to normalcy.

Although the pandemic has certainly been a tragic event for our country and the world, we are looking at lessons learned during the pandemic for economies and process improvements that may be viable for the longer-term, for example, a greater reliance on videoconferencing technology for meetings and conferences going forward, which would reduce travel costs. In-person court proceedings are a critical component of the judicial process, but there could be opportunities where greater use of videoconferencing could be utilized while still ensuring the rights to which defendants and litigants are entitled.

Need for Supplemental Funding

We appreciate the \$7.5 million in supplemental appropriations that Congress provided the judiciary in the CARES Act in March 2020 to address immediate information technology needs and increased testing and treatment costs in our probation and pretrial services program. After a more thorough analysis of our funding needs, in April 2020 we identified additional supplemental appropriations requirements totaling \$37 million to address emergent needs such as enhanced cleaning of court facilities, health screening at courthouse entrances, information technology hardware and infrastructure costs associated with expanded telework and videoconferencing, costs associated with probation and pretrial services supervision, and security related costs. Through savings realized from canceled travel, conferences and training events, and reduced spending in other areas, we were able to repurpose savings in FY 2020 to fund some of these pandemic-related costs, but we continue to have supplemental funding needs that we ask Congress to address. At this time, we are seeking \$25 million in supplemental appropriations for

information technology expenses and for enhanced cleaning of court space, not covered by GSA, that is necessary to reduce the risk of coronavirus exposure to litigants and court personnel. We will update the Subcommittee if we have further changes to our supplemental funding needs.

FISCAL YEAR 2021 FUNDING OUTCOMES

Turning to our FY 2021 funding, I would like to again thank the Subcommittee for its ongoing strong support for the judicial branch as reflected in the funding we received in the Consolidated Appropriations Act of 2021. We understand the Subcommittee has many competing demands in the Financial Services and General Government bill and that the Budget Control Act non-defense discretionary spending cap for FY 2021 was particularly constrained, resulting in a final subcommittee allocation that was only 1 percent above FY 2020, yet the Subcommittee provided the judiciary with a 3.1 percent overall increase. Those resources enable us to fund pay and non-pay inflationary adjustments as well as sustain progress on other priorities, including increasing the number of probation and federal defender staff, upgrading obsolete court security equipment, addressing cybersecurity needs, and adding critically needed new magistrate judges in districts burdened by heavy workload.

We are particularly grateful for the Subcommittee's support of an increase to the hourly rate paid to private panel attorneys providing criminal defense representation to indigent defendants in non-capital cases, to the statutory maximum of \$155 per hour. Achieving this rate represents a long-term goal of the judiciary, and we appreciate the Subcommittee's leadership in reaching this milestone.

Although we are very appreciative of the FY 2021 funding we received, I must note that budget pressures on the branch remain. When available resources fall short of requirements we are forced to make cuts that may impact our ability to carry out our duties. For FY 2021, after

funding must-pay expenses for judges, chambers staff, space costs, and other fixed costs, funding allotments provided to the 357 court units in appellate, district, and bankruptcy courts, and probation and pretrial services offices nationwide, had to be reduced by 11.5 percent from FY 2021 full requirements, which will create challenges for some court units in maintaining on-board staff or hiring new staff to meet workload demands.

FISCAL YEAR 2022 BUDGET REQUEST

The judiciary's FY 2022 request of \$8.12 billion in discretionary appropriations represents an overall \$403 million (5.2 percent) increase above the FY 2021 enacted level. In addition to our discretionary funding, the judiciary also requests a total of \$757 million in mandatory funds for judges' salaries and retirement funds. My remarks today will focus on the discretionary portion of the request that is most relevant to the Subcommittee.

Before discussing the details of our request, I emphasize that we face considerable challenges in estimating our funding needs for FY 2022. We are in the midst of a pandemic that is significantly impacting our workload and whose duration is uncertain. There is a new Administration whose prosecutorial policies – which will directly impact the judiciary's workload – have not yet been implemented or even fully articulated. We are experiencing substantial uncertainty regarding the potential impact of the Supreme Court's recent decision in *McGirt v. Oklahoma*, which changes the jurisdiction of major crimes involving Indian persons or property from state to federal court in eastern Oklahoma. The *McGirt* decision has already resulted in considerable workload increases in Oklahoma federal district courts, probation and pretrial services offices, and federal defender offices, and the precedent set in *McGirt* may be applied more broadly in Oklahoma, further increasing our workload and associated space needs. Despite these challenges, we have endeavored to submit a budget request based on the best

information available to us at this time. To the extent the above or other factors change our FY 2022 appropriation requirements – up or down – we will advise the Subcommittee accordingly in one of our upcoming budget re-estimates.

Salaries and Expenses

The majority of federal court activities nationwide are funded from the courts' Salaries and Expenses (S&E) account. The operation of the court system is a personnel-heavy activity, and this account is used to pay for the salaries, benefits, and related operational expenses of more than 28,000 judiciary personnel working around the country in courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. This account also pays for rent and related expenses for more than 630 federally owned or leased court facilities nationwide; the development, operation, and maintenance of major court information technology systems; and the provision of court-ordered services, such as drug testing or mental health counseling, for individuals under the supervision of federal probation or pretrial services officers.

The FY 2022 request for the S&E account totals \$5.66 billion, a \$258 million (4.8 percent) increase above FY 2021. Nearly \$240 million – 92 percent of the total increase being sought – is needed just to maintain current service levels. That includes funding to address government-wide increases such as annualization of the 2021 federal pay adjustment, an assumed 1.0 percent federal pay adjustment for 2022, higher agency FERS contributions, and a 4.0 percent increase in GSA rent costs, part of which is to pay for more rigorous cleaning standards as a result of the pandemic. Base adjustments for judiciary-specific needs include higher rent costs associated with new courthouse space coming online, the costs of law clerks and administrative staff required to support projected net increases in the numbers of active and senior Article III judges and bankruptcy judges, the buildout of courtrooms and chambers space,

where necessary, to accommodate judges recently confirmed, and adjustments to our information technology program. In addition, \$20 million is requested to pay for four program increases associated with projected workload changes, cybersecurity software license renewals, an increase in the number of magistrate judges, and for temporary bankruptcy law clerks.

The COVID-19 pandemic has significantly impacted workload in the courts, resulting in double-digit declines in 2020 in criminal filings (-11 percent), bankruptcy filings (-12 percent) and in pretrial investigations for bail determinations (-15 percent). Although recent workload is a major determinant of our staffing needs, in calculating FY 2021 staffing requirements we took steps to moderate the impact of pandemic-reduced caseload on court unit staffing. This approach better positions court units to maintain well-trained staff on board for when workload inevitably returns post pandemic. The judiciary projects that criminal and bankruptcy workload will rebound in 2021, with each increasing by nearly 4 percent. The economic fallout of the pandemic on individuals and businesses make bankruptcy filings particularly challenging to estimate. The number of offenders supervised by a probation officer is expected to increase by 1 percent, a seemingly nominal increase, but the effect is magnified when considering the increasing proportion of higher risk offenders who require more intensive supervision and more costly support services (e.g., drug/mental health testing and treatment) versus lower risk offenders. To address this additional workload in the courts, we are requesting \$7 million to hire 148 additional court support staff, primarily in district clerks of court offices and probation offices.

The second S&E program increase is for \$9 million to renew software licenses to ensure federal courts nationwide are using the latest firewall technology to address ongoing and evolving cyber threats. The firewalls provide a line of defense that protects the judiciary from

cyber threats by detecting and blocking malicious activity.

The third increase is for six additional full-time magistrate judges and one part-time magistrate judge. After a rigorous internal review and justification process, the judiciary has determined that additional magistrate judges are needed in Camden, New Jersey; Corpus Christi, Texas; Indianapolis, Indiana; Pierre, South Dakota; Waco, Texas; St. George, Utah; and the District of Columbia (part-time). The FY 2022 request includes \$3 million for these judges and associated staff.

The final item seeks \$474,000 to enable certain bankruptcy courts to hire temporary law clerks to assist with the anticipated increase in bankruptcy filings as a result of the economic impact of the COVID-19 pandemic and to supplement resources available to districts facing specialized, complex bankruptcy cases, or other workload challenges.

Defender Services

The right to counsel for defendants financially unable to obtain representation is one of the bedrocks of the American criminal justice system. In the federal system, the right to counsel is implemented through the work of the judiciary's Defender Services program and funded through the Defender Services appropriation. This account covers all costs related to the provision of court-appointed counsel under the United States Constitution, the Criminal Justice Act, and other statutes. Typically, fewer than 10 percent of federal defendants can afford retained counsel, so the judiciary must provide representation for the overwhelming majority of defendants facing federal criminal prosecution.

The Defender Services appropriation request for FY 2022 totals \$1.41 billion, a \$93 million (7.1 percent) increase above FY 2021. This increase is driven by projected workload increases for both Federal Defender Organizations (FDOs) and court-appointed private panel

attorneys. Workload in the Defender Services program is expected to decline by 19 percent for the 12-month statistical period ending March 31, 2021, due to lower criminal case filings as a result of the COVID-19 pandemic. The bulk of that decline occurred in the early months of the pandemic, but workload has trended upward since that time and is expected to continue increasing – by 19 percent in 2022.

The requested increase in FY 2022 consists of \$68 million in adjustments to base to maintain current services, such as federal pay and benefit adjustments, workload increases for panel attorney representations, and the annualization of FY 2021 hiring, and \$25 million of program increases. These program increases address staffing, the creation of a diversity fellowship program, and funding to establish a new federal defender organization.

Staffing in the Defender Services program has several components. The bulk of FDO staff are provided in accordance with work measurement formulas, which use workload and caseload statistics to calculate the number of staff necessary to accomplish the day-to-day legal and administrative work of an FDO. The request includes \$12 million to hire 118 additional FDO staff pursuant to the formulas. With these additional positions in place, the Defender Services program will be staffed at 98 percent of estimated full formula requirements, up from 96 percent supported by FY 2021 final appropriations. The request also includes \$9 million for unexpected workload surges that were not captured by the staffing formulas, including \$3 million for 32 additional FDO positions to address workload needs in Oklahoma associated with the Supreme Court decision in *McGirt v. Oklahoma* discussed earlier, and \$6 million for a staffing reserve of 28 full-time equivalents to address unexpected temporary workload surges, for example, workload related to an April 2020 Department of Justice decision to fast-track federal court review of state death penalty convictions in Arizona. Finally, the request includes

\$1 million for 10 positions that are outside of the FDO staffing formulas because they perform specialized functions that are not common to all FDOs or are better provided on a national or centralized basis. These include seven positions to enhance cybersecurity and other information technology requirements to ensure federal defender IT systems are mission capable, and three positions that will provide expertise and assistance to panel attorneys in capital cases.

A program increase of \$1.5 million is for 14 positions to establish a Diversity Fellowship Program within FDOs. The Fellowship Program will increase participation by attorneys from groups traditionally underrepresented in the legal profession. The Fellowship Program will establish a national legal training program that targets a diverse pool of law school graduates interested in federal criminal defense practice.

The request includes \$691,000 for eight additional positions at the Administrative Office of the U.S. Courts funded by the Defender Services appropriation. These positions will support higher workload demands associated with data management, financial analysis, legal and policy support, program operations, training, and implementing Criminal Justice Act-related policies approved by the Judicial Conference.

The final requested increase is for \$300,000 to establish a new FDO based on recent inquiries from eligible districts. The new FDO would be created either in one of the two judicial districts that currently are without an FDO, or in a judicial district that currently shares an FDO with an adjoining district but meets the caseload requirements for its own FDO.

Court Security

Court security is a shared funding responsibility of the judiciary and the United States Marshals Service (USMS). The USMS pays for the costs of the deputy U.S. marshals who safeguard judicial proceedings and protect judges in and out of the courthouse, but the judiciary

pays for the general protection of federal courthouses through the provision of contract court security officers (CSOs) and courthouse security systems and equipment. The judiciary also makes required payments to the Federal Protective Service (FPS) for the patrol and protection of courthouse perimeters.

In her statement, Judge Mauskopf discusses in more detail the recent tragic events involving the family of U.S. District Judge Esther Salas, the sharply increasing threats against federal judges generally, the steps the Judicial Conference is taking to strengthen judicial security, and lessons learned from the January 6 attack on the U.S. Capitol in assessing courthouse security vulnerabilities. As Judge Mauskopf discusses, we have identified additional resource needs in the Court Security appropriation that were developed too late for inclusion in the judiciary's FY 2022 request and we look forward to working with the Subcommittee to address these priority security improvements. This Subcommittee has been strongly supportive of our funding requests for this account over the years and I ask for your continued support for FY 2022.

The Court Security appropriation request for FY 2022 totals \$682 million, an \$18 million (2.7 percent) increase above FY 2021. The increase is split between \$6 million in adjustments to base to maintain current services, such as standard wage rate increases for CSOs and adjustments to FPS charges, and \$12 million in program increases for new or expanded security activities. These program changes cover four major areas.

First, the judiciary requests an increase of \$5 million associated with the ongoing Physical Access Control Systems (PACS) replacement strategy. PACS are the key cards and scanners that allow courts to restrict access, as necessary, to secure interior space. For example, PACS would prevent a member of the public from entering judicial chambers without

authorization. Unfortunately, many of the judiciary's PACS are fragile and failing, or are in danger of failing, due to aging equipment and outdated software that is no longer supported by the vendor. Working together with the USMS, the judiciary devised a multi-year budget strategy to upgrade PACS nationwide, using a risk-based prioritization process. The resources requested in FY 2022 will achieve the judiciary's goal of providing \$42 million in annual funding for the PACS program, which should be sufficient to fund PACS upgrades and begin to refresh PACS on a 10-year cycle to avoid a recurrence of the PACS failures experienced in recent years.

The second Court Security increase draws, in many ways, on the experience of the judiciary and the USMS with the PACS program. The USMS identified several additional categories of key security equipment where technological failures or obsolescence require action to modernize the judiciary's inventory and maintain a responsible cyclical replacement schedule. Specifically, the USMS recommended additional funding to modernize and replace existing Video Management Systems (VMS), which are the camera systems that allow the USMS to monitor activity around and within the courthouse. To continue required upgrades, we request an increase of \$6 million, which includes funding to hire four additional staff at the USMS to supervise the VMS upgrade program.

Third, the judiciary requests \$1.3 million for 21 CSOs as part of a multi-year effort to implement USMS's recommendation to add 349 CSO positions based on an updated CSO staffing standard that indicated a shortfall in security coverage at court facilities. The requested funds would increase to 263 the cumulative number of CSOs added in recent years toward the 349 CSO goal, and would achieve a total staffing strength of 4,574 CSO positions for FY 2022.

Finally, the request includes \$284,000 for five additional judiciary-funded positions at the USMS, bringing the total number of judiciary-funded positions at the USMS to 84 full-time

equivalents. This request includes three positions for risk identification and mitigation, and a cost-neutral insourcing of two contractor staff to USMS staff.

Fees of Jurors and Commissioners

The Fees of Jurors and Commissioners account funds statutory fees and allowances for federal jurors and for land commissioners, who are appointed by a court to determine fair compensation in federal eminent domain cases. For FY 2022, the judiciary seeks \$54 million, a \$21.2 million (65 percent) increase over the FY 2021 enacted level to fund all projected petit and grand juror requirements based on current workload projections. The large appropriations increase over FY 2021 is an aberration and reflects the significant use of unobligated balances available from FY 2020, due to reduced juror activity related to the pandemic, to finance FY 2021 requirements. Of the requested increase, \$21 million is to replace these one-time balances with appropriated funds, and a \$0.2 million net increase is for inflationary adjustments and changes in projected program requirements.

COST CONTAINMENT

The judiciary remains fully committed to good stewardship. That means scrutinizing our operations for efficiencies, looking for new and innovative ways to conduct business, and being transparent with Congress about both our needs and our flexibilities. In 2005, we formalized these practices into an official and ongoing cost-containment program in which all parts of the judiciary are tasked with regularly analyzing operations and reporting on ideas and opportunities to reduce either current or future costs. Through these efforts, we have reduced or avoided tens of millions of dollars of costs associated with rent, information technology, legal research materials, and staffing requirements, among other areas.

More than 15 years after the creation of the initial cost-containment program, our efforts

continue. Several of our recent initiatives are discussed in more detail below, and we have incorporated into our budget request the best available estimates of savings resulting from our cost-containment efforts. In addition, we are taking steps to identify the next generation of cost-containment initiatives we want to focus on. We will keep the Subcommittee apprised of these efforts.

Space reduction has been one of the judiciary's major cost-containment successes. The judiciary met the Judicial Conference's space reduction target of removing more than 870,000 square feet from the judiciary's rent bill by the end of FY 2018. This was done by releasing space, reconfiguring space to allow for different utilization, or leveraging opportunities provided by technology (for example, by reducing law book collections and transitioning to online legal research sources in order to reduce law library space). Our efforts were so successful we exceeded our goal by 37 percent, ultimately removing 1.2 million square feet from our bill for an annual rent avoidance of approximately \$36 million. Since 2013, the judiciary has achieved an estimated \$151 million in cumulative rent avoidance through space reduction.

Building on the success of space reduction, the judiciary has turned its focus to another high priority cost-containment initiative, the No Net New policy. This policy requires that any increase in square footage within a circuit must be offset by an equivalent reduction in square footage identified within the same fiscal year. As courts expand their workforces, Article III judges take senior status, and new judges are appointed, demand will increase for space, particularly chambers space for new judges. As a result, circuits need to improve the utilization of their space to ensure that they do not expand their space footprints. For this reason, this FY 2022 budget request includes \$10 million for the upfront investment needed to reconfigure space more efficiently and offset space increases to comply with the No Net New policy. To

date, the judiciary has funded 21 renovation or reconfiguration projects needed to comply with the policy. These 21 projects, once completed, will reduce judiciary space needs by an estimated 104,000 square feet, equating to \$10 million in annual rent avoidance.

We continue to pursue other cost savings initiatives in our space program, including a joint initiative with GSA, known as the Service Validation Initiative (SVI), in which we work collaboratively to address a variety of service, pricing, and management concerns. SVI has many achievements, but among its most noteworthy was the negotiation of a slate of changes to the methodologies by which GSA assesses costs to the judiciary. These changes have helped the judiciary avoid nearly \$64 million in costs annually.

Bankruptcy Noticing

We are also cutting costs by streamlining the administration of the tens of millions of notices – nearly 67 million in 2020 – that are sent to debtors and creditors in bankruptcy cases annually. The judiciary created a Bankruptcy Noticing Center in 1993 to centralize the administration of bankruptcy noticing to reduce bankruptcy clerk’s office staff dedicated to producing and mailing notices manually and to secure U.S. Postal Service bulk discount rates. More recently, the judiciary has been encouraging litigants in bankruptcy cases to agree to receive electronic bankruptcy notices, thereby avoiding the expense of producing and mailing paper notices and ensuring faster delivery. Electronic noticing has resulted in \$9 million in cost avoidance in FY 2020 alone. Electronic noticing continues to grow, in fact, today nearly half of all bankruptcy notices are sent electronically. The judiciary continues efforts to expand electronic noticing, including formal outreach efforts targeting high-volume paper notice recipients and soliciting their feedback on improvements that would make electronic noticing a more desirable option. On December 1, 2021, assuming there are no objections under federal

rulemaking procedures, a new bankruptcy rule will require recipients of more than 100 notices per month to receive electronic notices only, generating even greater savings.

Organizational Alternatives

Federal courts have experimented for years with ways to reduce costs or improve services by collaborating with one another on nontraditional ways of conducting the business of the clerks of court and probation and pretrial services offices. Most court units, for example, have some form of shared services agreement in which a single individual or group of individuals provides support to more than one court unit for such administrative functions as human resources, financial management, procurement, and information technology support. Looking to the future, the Judicial Conference is testing and evaluating new organizational alternatives that expand on the concepts of greater sharing of administrative services and consolidation to create fully consolidated clerks of court operations across multiple court units.

The Judicial Conference's most formalized effort in this area has been the initiation of a pilot project to learn more about the potential benefits and efficiencies of consolidating bankruptcy clerks of court offices across two or more judicial districts. This is referred to within the judiciary as the "horizontal consolidation" pilot (as opposed to "vertical consolidation," which involves the consolidation of district and bankruptcy clerks offices in the same judicial district). Under the pilot, two or more bankruptcy courts enter into a memorandum of understanding that puts both clerks' offices under the control of a single clerk of court, who is empowered to run the two offices as a consolidated unit. Two pairs of bankruptcy courts – the Northern and Southern Districts of Iowa and the Districts of North Dakota and South Dakota – have enrolled in the pilot, with the Iowa districts recently completing their three-year pilot term. The Federal Judicial Center will study the pilot districts to determine how their experience with

horizontal consolidation can allow court units to operate with fewer financial and/or staffing resources while still maintaining necessary standards of service to judges, the bar, and the public, or increasing the service provided in a cost-neutral manner. The results of the pilot and its associated study will inform the Judicial Conference's stance toward office consolidation as a viable cost-containment priority in the coming years.

OTHER CONSIDERATIONS

Judge Mauskopf's statement addresses these topics in more detail, but I want to add my support for funding in three GSA programs that directly serve the needs of the judiciary. The first of these is new courthouse construction. The top FY 2022 construction priority of the Judicial Conference is a new courthouse in Puerto Rico, which the Judicial Conference has declared a space emergency due to unique circumstances there involving seismic vulnerabilities and space needs that necessitate immediate action. In addition, for FY 2022 the Judicial Conference is seeking the balance of funding required to fully fund courthouse projects in Hartford, Connecticut, and Chattanooga, Tennessee. I join Judge Mauskopf in thanking the Subcommittee for the partial funding these two projects received in FY 2021.

The second GSA program of interest to the judiciary is the Capital Security Program (CSP). The CSP was developed to fund smaller construction projects within existing courthouses experiencing significant security challenges. Through small renovation projects, such as the installation of prisoner transport elevators, the security posture of these courthouses can be markedly improved, and the judiciary can potentially avert the need for much more costly new courthouse construction projects. The judiciary currently has one CSP project identified – Augusta, Georgia – that requires appropriated funding in FY 2022. (A second CSP project in Detroit, Michigan, is anticipated to be funded within available GSA resources, subject to

congressional approval.) I ask the Subcommittee to resume funding in FY 2022 for this important program.

Lastly, I urge the Subcommittee to ensure GSA has sufficient funding for its Basic and Major Repairs and Alterations program to address longstanding space deficiencies and deferred maintenance that have created inefficient and unsafe working environments in many judiciary facilities.

CONCLUSION

Chairman Quigley, Ranking Member Womack, and members of the Subcommittee, thank you for the opportunity to appear before you today. I hope that my testimony provides you with the information you need to evaluate our budget request and make the necessary decisions about how to allocate the resources that are available to you. As you make those decisions, I ask that you consider the constitutional and statutory responsibilities with which the judiciary is charged and the associated costs of carrying out those responsibilities. In return, I commit to you that we will continue to be effective and cost-conscious stewards of the funds Congress entrusts to us.

Thank you for your continued support of the federal judiciary. I would be pleased to answer any questions the Subcommittee may have.