

REQUESTS FROM THE JUDICIAL BRANCH FOR FY
2004

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

REQUESTS FROM THE JUDICIAL BRANCH FOR FY 2004



FEBRUARY 24, 2004.—Referred to the Committee on Appropriations and
ordered to be printed

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THE WHITE HOUSE,
Washington, February 11, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As a matter of comity, I am transmitting to the Congress the enclosed requests from the Judicial Branch for FY 2004.

The details of there requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

GEORGE W. BUSH.

[Estimate No. 1, 108th Cong., 2d Sess.]

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, February 6, 2004.

The PRESIDENT,
The White House.

Submitted for your consideration for transmittal to the Congress are two FY 2004 proposals that have been requested by the Judicial Branch.

The Judicial Branch's requests would provide a total of \$55.6 million for the Courts of Appeals and District Courts, including: \$39.2 million for salaries and expenses, to maintain existing staffing levels and to meet technology requirements; and \$16.4 million for private panel attorneys who provide defender services.

I recommend that, as a matter of comity, you transmit these proposals as submitted by the Judicial Branch to the Congress.

Sincerely,

JOSHUA B. BOLTEN,
Director.

Enclosures.

JUDICIAL BRANCH—COURTS OF APPEALS, DISTRICT COURTS, AND
OTHER JUDICIAL SERVICES

DEFENDER SERVICES

For an additional amount for "Defender Services," \$16,423,000, to remain available until expended.

This request would provide additional funding to compensate private panel attorneys, due to a higher-than-anticipated number of Criminal Justice Act (CJA) representations. When the FY 2004 Budget request was submitted in February 2003, the Judicial Branch estimated 58,600 CJA panel attorney representations, its current FY 2004 projection is 65,100. If a defendant qualifies for representation under the provisions of the CJA, the representation is assigned by the presiding judge either to a Federal defender organization or to a private panel attorney. The number of representations is driven by the number of defendants that qualify for representation under the CIA.

Without this additional funding, the Judiciary asserts that panel attorney payments would be stopped for approximately the last three weeks of September 2004.

This proposal would increase FY 2004 outlays by \$16 million.

JUDICIAL BRANCH—COURTS OF APPEALS, DISTRICT COURTS, AND
OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses,” \$39,243,000, to remain available until expended.

This request would provide additional funds to the Salaries and Expenses account of the Courts of Appeals, District Courts, and other Judicial Services. In FY 2003, the Senate confirmed 28 more Article III judges than the Administrative Office of the United States Courts had estimated. The Judicial Branch asserts that the across-the-board reductions in P.L. 108–199, the Consolidated Appropriations Act, 2004, along with the increase in the number of Article III judges, may result in the need to implement involuntary separations and furloughs and to reduce infrastructure and automation expenses below anticipated levels.

The Judiciary asserts that this request would allow it to maintain existing staffing levels and meet technology requirements, as well as restore some reductions made to the non-salary portion of their budget.

This proposal would increase FY 2004 outlays by \$35 million.