

THE WHITE HOUSE

WASHINGTON

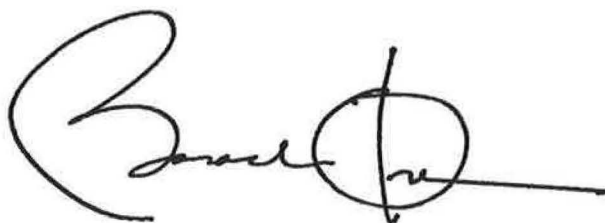
June 7, 2013

Dear Mr. Speaker:

As a matter of comity, and consistent with 31 U.S.C. 1107, I am transmitting to the Congress, without modification, the enclosed supplemental proposal from the Judicial Branch for fiscal year 2013.

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

Sincerely,

A handwritten signature in black ink, appearing to be "Barack Obama", written in a cursive style. The signature is positioned to the right of the typed name.

The Honorable John Boehner
Speaker of the
House of Representatives
Washington, D.C. 20515

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

June 7, 2013

The President
The White House

The Judicial Branch submitted for transmittal to the Congress a fiscal year 2013 supplemental proposal, totaling \$72.9 million. The request includes \$31.5 million for the Courts of Appeals, District Courts, and Other Judicial Services Salaries and Expenses account, and \$41.4 million for the Defender Services account to address needs resulting from the reductions mandated in the sequestration order you were required to issue on March 1, 2013 pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (BBEDCA). The Judicial Branch also requests that these amounts be designated as emergency requirements pursuant to BBEDCA.

The Judicial Branch's request notes that sequestration is impacting the ability of the Judiciary to meet its mission, similar to many Federal agencies across the government. States, communities, businesses, and non-profit organizations across the country are experiencing harmful impacts from sequestration. As a matter of comity, and consistent with 31 U.S.C. 1107, I recommend that you transmit this proposal to the Congress. However, one-off sequestration fixes will leave in place damaging cuts in other critical areas across the Government. The Administration has been clear that the only way to truly fix sequestration is to replace it with balanced deficit reduction, such as that proposed in your FY 2014 Budget.

Sincerely,

A handwritten signature in black ink that reads "Sylvia M. Burwell".

Sylvia M. Burwell
Director

Enclosures

JUDICIAL BRANCH

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

Salaries and Expenses

For an additional amount for "Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses", \$31,500,000, for emergency expenses of the courts for the fiscal year ending September 30, 2013, including amounts necessary to minimize staffing reductions and furloughs, and for drug testing, drug treatment, and mental health treatment services of offenders and defendants in the probation and pretrial services program: *Provided*, That the amount provided herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

This proposal would provide \$18.5 million to avoid further staffing cuts and furloughs in clerks of court and probation and pretrial services offices during the fourth quarter of FY 2013. This funding would save the jobs of approximately 500 court employees and avoid 14,400 planned furlough days for 3,300 court employees. In addition, \$13.0 million would restore half of the sequestration cuts to drug testing, substance abuse, and mental health treatment services for defendants awaiting trial and offenders released from prison. Timely diagnosis and treatment of drug and mental health conditions is critical to defendants/offenders successfully completing their terms of release and ensuring community safety.

JUDICIAL BRANCH

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

Defender Services

For an additional amount for "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services", \$41,400,000, for emergency expenses related to the representation of defendants under the Criminal Justice Act for the fiscal year ending September 30, 2013, including amounts necessary to minimize staffing reductions and furloughs in federal defender organizations, for the compensation and reimbursement of panel attorneys and experts, and for representation costs associated with high-threat trials: *Provided*, That the amount provided herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to section 251(b)(2)(A).

This proposal would provide: \$27.7 million to avoid deferring payments to private attorneys representing indigent defendants under the Criminal Justice Act for the last 15 business days (3 weeks) of the fiscal year. Without additional funding, sequestration cuts would necessitate that these expenses shift to FY 2014. These costs were not included in the Judiciary's FY 2014 budget request to the Congress; \$8.7 million to avoid further staffing cuts through layoffs, buyouts and early outs, and furloughs in Federal defender organizations during the fourth quarter of FY 2013. This funding would save the jobs of approximately 50 employees and avoid 9,600 planned furlough days for 1,700 Federal defender organization employees; and the remaining \$5.0 million would be used for projected defense representation and related expert costs for high-threat trials, including high-threat cases in New York and Boston that, absent sequestration, the Defender Services program would have been able to absorb without the need for supplemental funding.