

Congress of the United States

Washington, DC 20510

May 16, 2025

The Honorable Tom Cole
Chairman
House Committee on Appropriations
H-307 The Capitol
Washington, D.C. 20515

The Honorable Hal Rogers
Chairman
House Committee on Appropriations
Subcommittee on Commerce, Justice,
and Science
H-310 The Capitol
Washington, D.C. 20515

The Honorable Rosa DeLauro
Ranking Member
House Committee on Appropriations
1036 Longworth
Washington, D.C. 20515

The Honorable Grace Meng
Ranking Member
House Committee on Appropriations
Subcommittee on Commerce, Justice,
and Science
1036 Longworth
Washington, D.C. 20515

Dear Chairman Cole, Ranking Member DeLauro, Chairman Rogers, and Ranking Member Meng:

As you consider the Fiscal Year (FY) 2026 Commerce, Justice, Science, and Related Agencies Appropriations bill, we request that you provide the highest possible funding for the Executive Office for Immigration Review (EOIR). We also request any funding appropriated for EOIR be utilized as Congress has directed, including both for the hiring of new immigration judges and for the Legal Orientation Program (LOP). Given the current backlog of immigration cases and the potential increase in new cases due to President Trump's mass deportation agenda, it is critical that EOIR and our immigration court judges have the resources they need to ensure due process within our immigration system.

The primary mission of EOIR is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the nation's immigration laws. Currently, our immigration courts face a staggering backlog of more than 3.6 million active pending cases, which EOIR has cited as the largest single issue facing the immigration courts today.

This growing backlog impedes our immigration system, creating significant barriers for people legally seeking asylum, migrants, pregnant women, and people with disabilities that seek to remain in the United States. These complex cases can take up to seven years before receiving a hearing, leaving migrants, families, and communities in legal limbo as they await hearings and decisions. At a time when President Trump is making sweeping changes to our immigration system that threaten the integrity, operational efficiency, and fairness of our immigration courts, adequately funding EOIR is essential to a well-functioning and fair immigration system.

In FY2024, EOIR received \$844 million, a \$16 million cut from the previous year. Given President Trump's decision to pressure Republicans into a full-year continuing resolution for FY2025, EOIR is currently being funded below FY2023 levels—which is a disservice to our immigration system and all those who seek a decision under an adjudication process that is impartial, timely, and consistent with due process.

A recent analysis found that a minimum of 700 additional immigration judges would be required to clear the current backlog by FY2032, not accounting for new cases that get added. Instead of hiring more immigration judges, however, under the Trump Administration, EOIR has terminated four top officials and more than 20 immigration judges without notice or cause, removed nine Board of Immigration Appeals members, and pushed more than 100 immigration court professionals to accept offers for deferred resignation or early retirement—leaving 25 percent of immigration courts without appropriate leadership or judges to preside over court matters.

In addition to ensuring adequate numbers of immigration judges, it is essential to provide judges with sufficient case processing capacity through the hiring of additional immigration judge teams, including attorneys and support staff, and the modernization of the case management software system, including digitization efforts. It is also important to support the building and expansion of immigration courtroom spaces to accommodate additional judges and staff. Therefore, we request the Subcommittee include report language to ensure funding towards these efforts.

EOIR is also responsible for carrying out the LOP, which contracts with nonprofit legal service organizations to assist detained individuals and others involved in removal proceedings to make timely and informed decisions, thereby improving judicial efficiency in the immigration courts. To this end, we request the Subcommittee include statutory language to ensure that the Department of Justice maintains funding for the LOP, including Immigration Court Helpdesk and Legal Orientation Program for Custodians of Unaccompanied Children, as has been enacted in previous years, including FY2025.

It is crucial that Congress continues to support and invest in EOIR to ensure a well-functioning immigration system to adjudicate our immigration laws consistent with our values and address the growing backlog of pending cases. We strongly urge you to allocate the highest possible funding and include report language for EOIR funding to go towards the hiring of additional highly qualified judges, the hiring of additional judge teams, the modernization of case management system, the building and expansion of immigration courtroom spaces, and funding of the Legal Orientation Program, in the FY2026 Commerce, Justice, Science, and Related Agencies Appropriations bill.

Sincerely,

Lizzie Fletcher

Lizzie Fletcher
Member of Congress

Jason Crow

Jason Crow
Member of Congress

Dina Titus

Dina Titus
Member of Congress

Chellie Pingree

Chellie Pingree
Member of Congress

Delia C. Ramirez

Delia C. Ramirez
Member of Congress

Scott H. Peters

Scott H. Peters
Member of Congress

Nanette Diaz Barragán

Nanette Diaz Barragán
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Raja Krishnamoorthi

Raja Krishnamoorthi
Member of Congress

Jennifer L. McClellan

Jennifer L. McClellan
Member of Congress

Joe Courtney

Joe Courtney
Member of Congress

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Jahana Hayes
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Rick Larsen

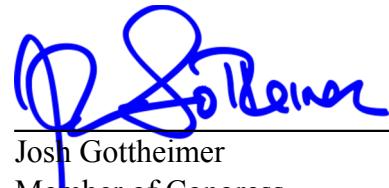
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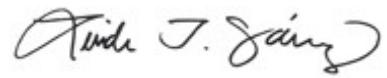
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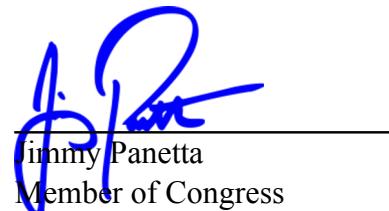
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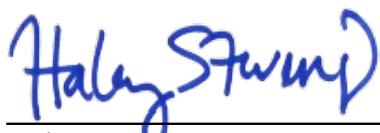
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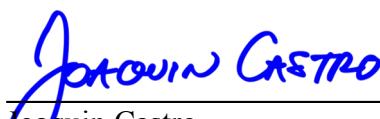
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Member of Congress



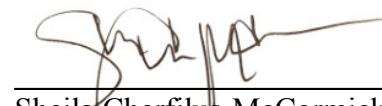
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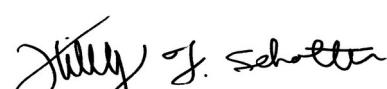
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