

**United States Marshals Service
FY 2022 Performance Budget
President's Budget Submission**

**Salaries and Expenses
Appropriation**



May 2021

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I. United States Marshals Service (USMS) Overview

A. Introduction

The USMS requests \$1,640,550,000 for the Salaries and Expenses (S&E) appropriation to fund 5,465 positions, 3,976 Deputy U.S. Marshals (DUSMs), 28 Attorneys, and 4,878 full time equivalent (FTE) excluding reimbursable FTE. This increase includes \$59,266,000 in base adjustments and \$85,284,000 in program increases totaling \$144,550,000. These budget increases are the USMS' top priority and are necessary to meet the workload trends in USMS' core missions and enhance capacity to effectively address departmental priorities and initiatives.

Budget	Salaries & Expenses			
	Positions	DUSMs	FTE	Amount (\$000)
FY 2020 Enacted	5,212	3,885	4,718	\$1,445,000*
FY 2021 Enacted	5,244	3,894	4,752	\$1,496,000
FY 2022 President's Budget	5,465	3,976	4,878	\$1,640,550

* FY 2020 includes a \$15.0 million CARES Act supplemental.

B. Organizational Background

History

The Judiciary Act of 1789 established the original 13 Federal judicial districts and called for appointment of a Marshal for each district. The Senate confirmed President Washington's nomination of the first Marshals on September 26, 1789.

The Attorney General began supervising U.S. Marshals in 1861. Marshals have been under the purview of the Department of Justice (DOJ) since the Department's creation in 1870. In 1956, the Deputy Attorney General established the Executive Office for United States Marshals as the first organization to supervise the Marshals nationwide. On May 12, 1969, DOJ Order 415-69 established the U.S. Marshals Service, with its Director appointed by the Attorney General. On November 18, 1988, the USMS was officially established as a bureau within the Department under the authority and direction of the Attorney General with its Director appointed by the President.

Mission

The USMS protects, defends, and enforces the American justice system. This mission requires the USMS to provide for the personal protection of Federal jurists, court officers, witnesses, and other threatened persons in the interests of justice; provide Federal judicial security, including

the security of buildings housing the judiciary, the personal security of judicial officers, and the assessment of threats made to judicial officers; investigate and apprehend fugitives and non-compliant sex offenders; secure and transport Federal prisoners; execute Federal court orders; and seize and manage the custody and disposal of assets forfeited to the government.

As America's first and most versatile Federal law enforcement agency, the USMS is considered the Nation's Police Force. The USMS continues to build on its legacy of steadfast service and unique position in the country's Federal justice system. Today, the USMS is a force of approximately 5,000 deputies and civil servants who protect the judicial process, the cornerstone of American democracy. The USMS uses the influence and reach gained through its accomplished history and broad authority to collaborate with other Federal, state, local, and international law enforcement agencies, as well as with concerned citizens and members of the judiciary, to form a united front against crime.

The USMS strategic plan identifies mission challenges and strategies to mitigate these challenges. This road map guides resource investment, establishes the steps to improve operational performance, and positions the USMS to meet future challenges. Over the past few years, the USMS has successfully executed its broad mission authority even as new mandates and congressional legislation have resulted in dynamic growth across program areas, often without the corresponding support infrastructure. To successfully implement the strategic plan while continuing to excel in executing the mission, transformational change is required. Therefore, the plan addresses workforce and infrastructure in addition to the mission areas.

U.S. Marshals Perform a Wide Range of Duties

Since 1789, Federal marshals have served the nation in a variety of vital law enforcement roles. The USMS consists of 94 district offices and personnel stationed at more than 400 locations throughout the 50 states, Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and the District of Columbia. A U.S. Marshal appointed by the President or the Attorney General heads each district. The USMS headquarters is located in the Washington, D.C. area.

All USMS duties and responsibilities emanate from its core mission to ensure the safe, effective functioning of the Federal judicial process. The USMS occupies a uniquely central position in the Federal justice system and is involved in virtually every Federal law enforcement initiative.

Deputy U.S. Marshals and career employees execute the following nationwide, day-to-day assignments:

Fugitive Apprehension

Deputy U.S. Marshals engage in critical operations to combat violent crime and enforce the rule of law:

- conducting domestic and international fugitive investigations;
- investigating non-compliant sex offenders for violations of registration laws;
- assisting state, local, and other Federal law enforcement agencies in locating and recovering missing children;
- leading fugitive task forces comprised of local, state, and Federal, law enforcement partner agencies to apprehend violent fugitives from justice;
- planning and implementing the extradition and deportation of fugitives;
- seizing assets gained by illegal means and managing the custody and disposal of forfeited assets;
- conducting financial and technical surveillance on specific fugitive investigations; and
- executing all lawful writs, process, and orders issued under the authority of the United States (serving court papers), which is also known as service of process.



Judicial and Courthouse Security

Deputy U.S. Marshals provide for the physical and facility security of the judicial system:



- managing defendants in custody while in court;
- protecting judges, prosecutors, jurists, witnesses, and threatened persons in the interests of justice where criminal intimidation impedes on the judicial process or any other official proceeding;
- analyzing and investigating threats and inappropriate communications made to judicial officers;
- conducting courtroom and courthouse security;
- planning courthouse facility renovations;
- managing courthouse security systems; and
- conducting courthouse and residential security surveys.



Prisoner Security and Transportation

Deputy U.S. Marshals provide for the organized receipt, transport, and temporary care of Federal prisoners and defendants:



- fingerprinting all defendants in the Federal court system;
- securing prisoners and defendants in custody in the cellblock;
- transporting prisoners and defendants in custody between the jail and courthouse, between Federal judicial districts and states;
- receiving prisoners from other Federal law enforcement agencies;
- providing prisoner housing and other services related to Federal detainees; and
- conducting jail inspections to ensure the safety and security of its prisoners.



Protection of Witnesses

Deputy U.S. Marshals provide a valuable tool in the battle against major criminal conspirators and organized crime:

- operating the Federal government's Witness Security Program;
- ensuring the safety of protected witnesses and their families;
- providing 24-hour protection of government witnesses while they are in designated danger areas for the purposes of testimony or court-related appearances;
- producing protected witnesses for court proceedings; and
- providing new identities with authentic documentation and relocating protected witnesses and their families.

Operations Support

Deputy U.S. Marshals deploy to provide law enforcement assistance in a variety of tactical and emergency response scenarios:

- performing security, rescue, and recovery activities for high threat and emergency events such as natural disasters and civil disturbances;
- planning and implementing emergency operations including Continuity of Government activities;
- providing medic, canine, and tactical communication support to USMS missions;
- performing audits and inspections of U.S. Marshals operations;
- providing protection for the Strategic National Stockpile and coordination with the Department of Health and Human Services' Centers for Disease Control and Prevention; and
- protecting America through constant readiness, incident management, operations, and training critical to mission success.



U.S. Marshals Service Responds to Shifting Priorities

The role of the U.S. Marshals has profoundly impacted the history of the United States since the time when America was expanding across the continent into western territories. With changes in prosecutorial emphasis, the mission of the USMS has transitioned as well. More recently, law enforcement priorities have shifted with changing social mandates. Examples include:

- In the 1960s, DUSMs provided security and escorted Ruby Bridges and James Meredith to school following Federal court orders requiring segregated Southern schools and colleges to integrate.
- In 1973, the Drug Enforcement Administration (DEA) was created, resulting in a greater focus on drug-related arrests. The USMS immediately faced rapidly increasing numbers of drug-related detainees, protected witnesses, and fugitives. In the present day, the renewed focus on controlled substances and a nationwide opioid crisis have given rise to an increase in drug-related workload.
- The Presidential Threat Protection Act of 2000 (Public Law (P.L.) 106-544) directed the USMS to provide assistance to state and local law enforcement agencies in the location and apprehension of their most violent fugitives. As a result, the USMS increased the size and effectiveness of its regional and district-based fugitive apprehension task forces, thus providing a critical “force multiplier” effect that aids in the reduction of violent crime across the nation. District Task Forces (DTFs) and Regional Fugitive Task Forces (RFTFs) combine the efforts of Federal, state, and local law enforcement agencies to locate and apprehend the most violent fugitives under the expertise and supervision of USMS Criminal Investigators.
- Expansion of illegal immigration enforcement activities, including the implementation of Operation Streamline in 2005, increased Federal prosecutions of immigration offenders, which resulted in a significant increase to USMS workload.
- The Adam Walsh Child Protection and Safety Act of 2006 (AWA) (P.L. 109-248) strengthened Federal penalties by making the failure to register (FTR) as a sex offender a Federal offense. This Act directs the USMS to “assist jurisdictions in locating and apprehending sex offenders who violate sex offender registry requirements.” In response, the USMS established the Sex Offender Investigative Branch (SOIB) and opened the National Sex Offender Targeting Center (NSOTC) to carry out its mission to protect the public by bringing non-compliant sex offenders to justice and targeting offenders who pose the most immediate danger to the public in general and to child victims in particular. Additionally, the Child Protection Act of 2012 (P.L. 112-206) provides additional administrative authorities to prosecutors and law enforcement agencies to further combat sex crimes involving children, including administrative subpoena authority, to the USMS Director for cases involving unregistered sex offenders.
- The Justice for Victims of Trafficking Act of 2015 (P.L. 114-22) clarified USMS authority to assist state, local, and other Federal law enforcement agencies in locating and

recovering missing children upon request. Previously, the USMS was only authorized to assist with missing child cases in which a warrant was already in place for the suspected abductor/companion. This new authority eliminated the need for a warrant, allowing the USMS to immediately support missing child cases.

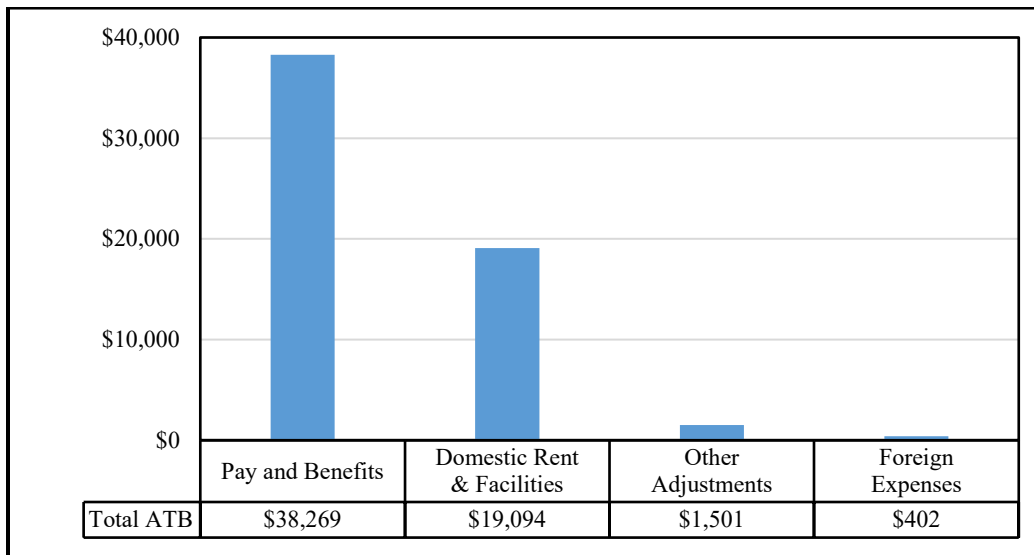
- In 2016, the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (P.L. 114-119) was enacted. This law assigned a critical role in vetting and providing notification of sex offenders traveling abroad to the USMS National Sex Offender Targeting Center (NSOTC). Under the law, the Department of Homeland Security (DHS) will operate an Angel Watch Center (AWC) within Immigration and Customs Enforcement (ICE). The AWC will provide the NSOTC manifests of registered sex offenders who have scheduled travel within 72 hours. The NSOTC is then required to vet the manifests to identify “covered sex offenders” (i.e., the victim is less than 18 years of age) for the AWC.

In addition to these priorities, because more Federal resources are dedicated to apprehension and prosecution of suspected terrorists and gang members, the USMS is constantly assessing and responding to demands for high-level security required for many violent criminal and terrorist-related court proceedings.

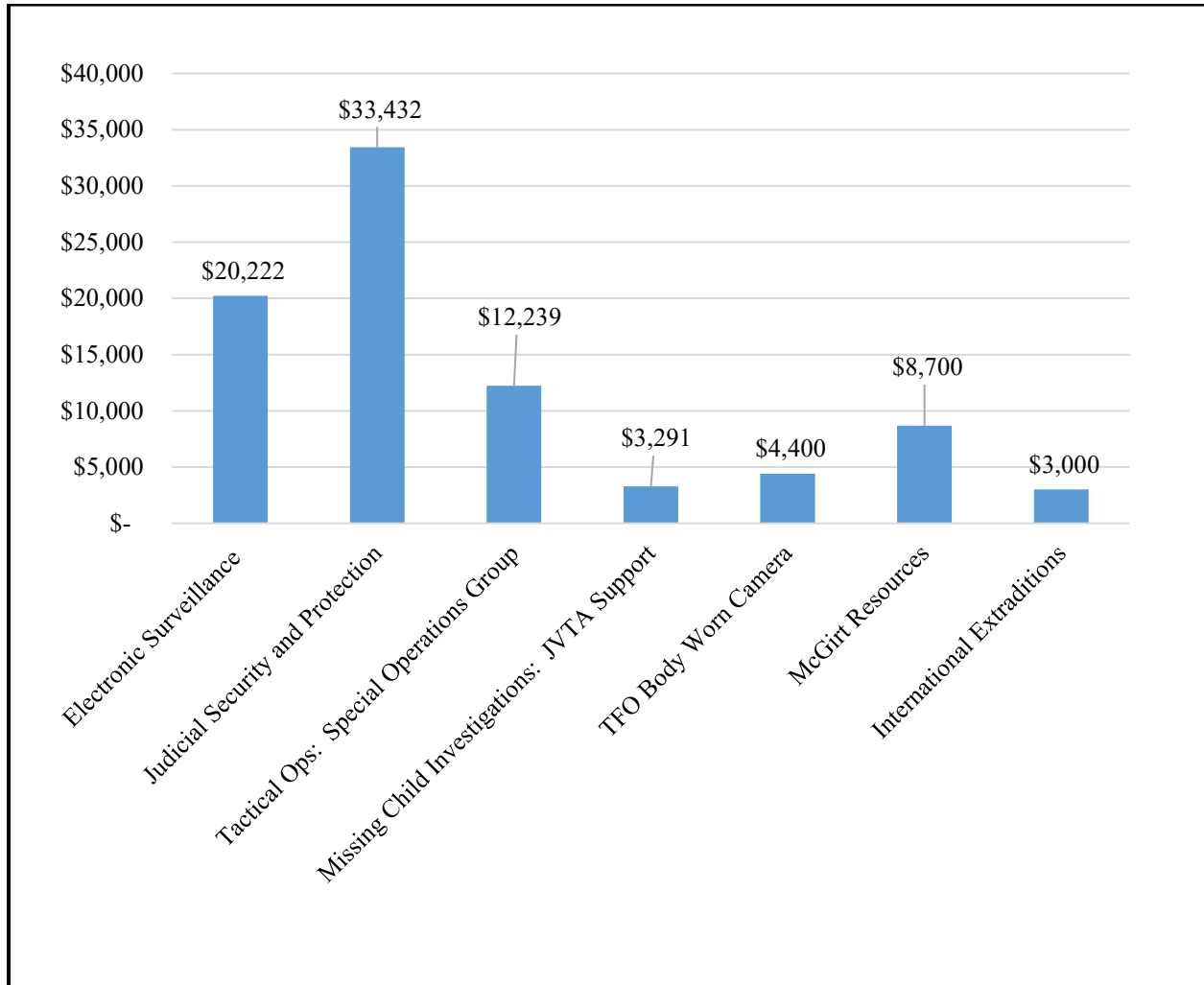
C. USMS Budget

The USMS funding request of \$1,640,550,000 provides the necessary resources for the USMS to maintain and enhance its core functions and increase priority areas. The chart below exhibits the cost distribution of base adjustments.

**S&E Adjustments to Base
(\$ in thousands)**



**S&E Program Increases
(\$ in thousands)**



Total S&E technical and base adjustments for FY 2022 are an increase of \$59,266,000 from the FY 2021 Enacted.

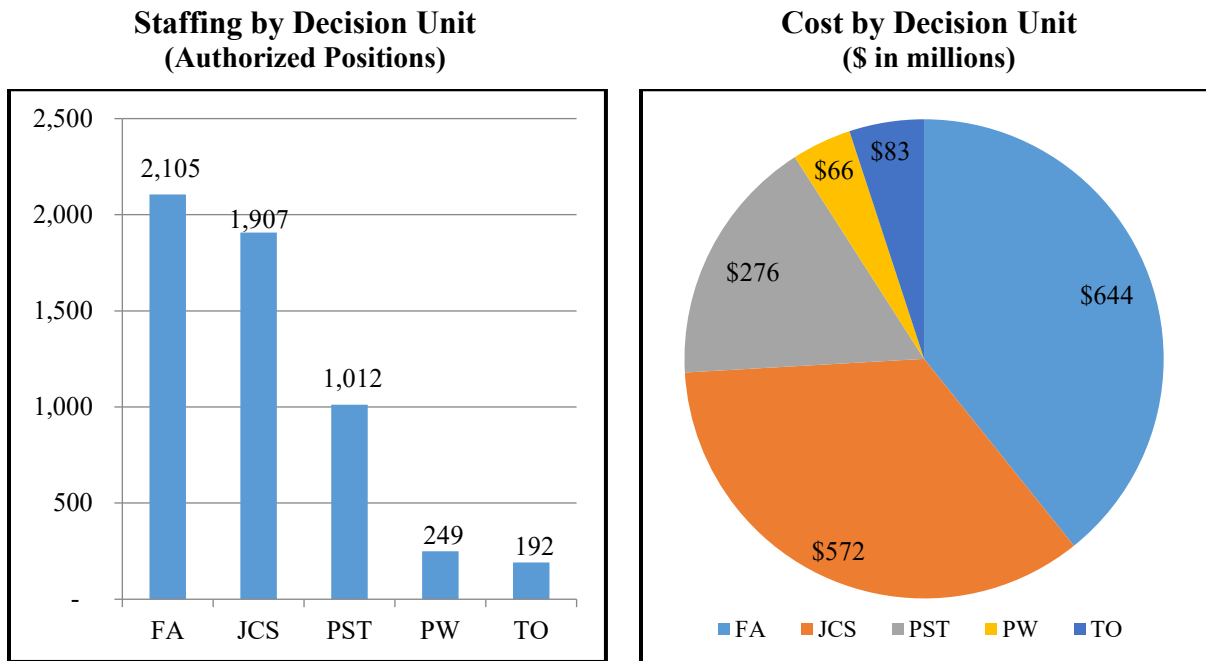
The USMS also receives reimbursable and other indirect resources from a variety of sources. Some of the larger sources include:

- The Administrative Office of the United States Courts (AOUSC) provides funding for administering the Judicial Facility Security Program.
- The Fees and Expenses of Witnesses (FEW) appropriation provides funding for securing and relocating protected witnesses.
- The Assets Forfeiture Fund (AFF) provides funding for managing and disposing seized assets.
- The Organized Crime Drug Enforcement Task Forces (OCDETF) program provides funding for apprehending major drug case fugitives.

The USMS S&E budget is divided into five decision units. These decision units contain the personnel and funds associated with the following missions:

- **Fugitive Apprehension (FA)** – Combats violent crime in our communities nationwide by locating and apprehending Federal fugitives, egregious state or local fugitives, and non-compliant sex offenders. Creates and maintains fugitive task forces and cooperative working relationships with Federal, state, local, and foreign law enforcement agencies; develops national expertise in sophisticated technical operations; conducts psychological assessments of sex offenders; and, collects and shares criminal intelligence. This decision unit includes management and disposal of DOJ’s seized and forfeited assets.
- **Judicial and Courthouse Security (JCS)** – Ensures a safe and secure environment for Federal judicial proceedings. Anticipates and deters threats to the judiciary; maintains the ability to deploy protective measures at any time; and, implements the necessary security measures for all Federal court facilities.
- **Prisoner Security and Transportation (PST)** – Ensures safe and humane custody of all Federal prisoners from time of arrest until the prisoner is acquitted, arrives at a designated Federal Bureau of Prisons facility to serve a sentence, or is otherwise ordered released from U.S. Marshal’s custody. Provides housing, medical care, and transportation throughout the United States and its territories; produces prisoners for all court-ordered appearances; and, protects their civil rights throughout the judicial process.
- **Protection of Witnesses (PW)** – Provides for the security, health, and safety of government witnesses and their immediate dependents whose lives are in danger as a result of their testimony against drug traffickers, terrorists, organized crime members, and other major criminals.
- **Tactical Operations (TO)** – Ensures the USMS is able to respond immediately to any situation involving high-risk/sensitive law enforcement activities, national emergencies, civil disorders, or natural disasters. Maintains a specially trained and equipped tactical unit deployable at any time; provides explosive detection canines; operates a 24-hour Emergency Operations Center; and, ensures Incident Management Teams and Mobile Command Centers are always available.

The charts below show FY 2022 President’s Budget by authorized positions and cost distribution by decision unit.



D. Sustainability

The USMS Sustainability Report and Implementation Plan will incorporate the requirements set forth in the Presidential Executive Order (EO) 14008, “Tackling the Climate Crisis at Home and Abroad.” The USMS is participating in the Department of Justice (DOJ) Climate Adaptation Team to focus on climate adaptation planning efforts and enhancing its collective resilience and ability to adapt to a changing climate. In addition, the USMS will continue to evaluate sustainability, energy efficiency, and environmental performance in the execution of its mission.

The USMS strives to reduce energy efficiency, water intensity, and greenhouse gas emissions for direct-leased facilities. The USMS continues to discuss sustainability goals and climate vulnerabilities to enhance awareness; optimize energy and environmental performance; reduce waste; and enhance climate readiness of USMS facilities and climate-ready supply of products and services. The USMS policy directive for the Environmental Management Program will be revised to comply with EO 14008.

D. Challenges

The USMS continues to analyze cost savings measures for economies of scale; communicate transparently with the Department of Justice (DOJ), Office of Management and Budget (OMB), and Congress; and pursue resources to accomplish the USMS’ core mission, operate programs, improve detention management, ensure officer safety, fight violent crime, and provide the highest possible security for the Federal judicial process.

To achieve these priorities, the USMS and the DOJ integrates Strategic Planning and Enterprise Risk Management. Together, these tools add value by developing a plan-based approach to identify, assess, and manage risks to achieving the USMS and the DOJ goals and objectives. The USMS identified the following areas as risks that affect prioritization, performance, and resource allocation:

Officer Safety, Health, and Wellness

Risk: The declining public perception of law enforcement could negatively affect the health, safety, and wellness of USMS law enforcement personnel. The USMS must provide enhanced physical protection to Deputy U.S. Marshals (DUSMs) who face high-risk situations while strengthening existing programs focused on peer support, stress management, and suicide prevention.

Description: Wearing the badge of a Deputy U.S. Marshal comes with unique hazards. Protecting those who serve is a top priority of the USMS. Since 2014, the USMS has endured at least one line of duty death each year, totaling 11 DUSM losses through 2020. Three of those deaths occurred in 2020. Sadly, over the same time-period, five Special Deputy U.S. Marshals also lost their life supporting the USMS mission – four Court Security Officers (CSOs) and one Task Force Officer (TFO).

The Coronavirus Disease 2019 (COVID-19) pandemic, civil unrest, and decreasing public confidence in law enforcement has increased DUSM workplace and personal stress levels. High stress levels have an adverse effect on a deputy's health and wellness by increasing the risk of anxiety, burnout, depression, and workplace errors. Stress experienced by law enforcement personnel contribute to increased risk of chronic health outcomes.

Mitigation: The USMS continues its focus on providing comprehensive, law enforcement safety training to all operational employees. Every DUSM, including supervisors and managers, are required to complete 40 hours of officer safety training annually. The training includes tactical, proper use of protection equipment, and leadership during operations. Each district chooses from a wide range of training options to address local needs and planning.

The Special Operations Group (SOG) receives focused tactical training to address specialty operations as required. SOG acts as a force multiplier and subject matter experts, which increase the safety of all USMS personnel involved. When not deployed, SOG conducts officer safety training for districts and task forces.

Some USMS missions require skills to cope with intense psychological stress that a deputy might face. The Missing Children Unit (MCU) receives intense resiliency training for those cases with tragic situations or outcomes. Having a dedicated team to execute and support the mission ensures everyone involved is prepared with the tools necessary to effectively process the stress that accompanies the mission.

The USMS peer support program, the Critical Incident Response Team (CIRT) is often cited as a model program within law enforcement. Employee support programs, Employee Resiliency

Program (ERP) and Employee Assistance Program (EAP), are vital resources to all personnel. The USMS will establish a Total Force Fitness program to implement process changes and formally coordinate CIRT, ERP, and EAP to increase overall health, safety, and wellness of USMS personnel.

The USMS requires continued investment and build upon its successes to improve officer safety, employee health and wellness, and law enforcement partnership. Funding the program increase requests, Tactical Operations: Special Operations Group and Missing Child Investigations: Justice for Victims of Trafficking Act (JVTA) Support, will reduce the risk to USMS personnel and ensure the USMS will accomplish its strategic goals and objectives.

Social Media

Risk: The continued expansion and reliance on social media has increased risk to the USMS. Protected individuals may be targeted and subjected to viral dissemination of disinformation by malicious foreign and domestic actors.

Description: The use of technological tools and techniques including bots, big data, trolling, deep-fakes, and others, are meant to manipulate public opinion by spreading false, inaccurate, or misleading information. An individual can reach targeted and potentially endless audiences to achieve their goal with minimal resources.

Mitigation: The USMS has created the Open-Source Intelligence Unit (OSINT) to proactively review and research social media content. OSINT identifies threats and situations of concern that may be currently undetected through traditional investigative methods. Analyzing public discourse on social media, its spread (“likes”, comments, and shares), and the target audience, the USMS can effectively manage its resources appropriate to the identified threat.

The USMS continues to educate judges, witnesses, and other persons under the USMS’ protection on the risks associated when using a social media platform. Additionally, the USMS provides guidelines on what to do if the individual feels targeted or threatened.

Congressional investment is necessary to achieve its judicial security goals and objectives and build upon the resources in the FY 2021 Enacted appropriation. Funding the program increase request, Judicial Security: Protective Operations, will reduce the threat likelihood and the effect when it does occur.

Increasing Operational Costs

Risk: There is a risk to the USMS’ operations if program costs continue to increase or funding is unavailable to support extraditions, technology, and operating environments.

Description:

Electronic Surveillance (ELSUR) Equipment. Technical advancements in the telecommunications industry requires the continuous replacement or upgrade of surveillance equipment to ensure the USMS has uninterrupted capabilities in the wireless arena. In 2019, the

mobile industry started the migration from 4G Long Term Evolution (LTE) to 5G New Radio (NR). The rate of increase in 5G subscribers is proportional to the reduction of the USMS' effectiveness to locate and apprehend fugitives. The USMS and industry insiders expect FY 2022 to be a tipping point as 5G starts to surpass 4G technology, rendering the USMS' current electronic surveillance inventory obsolete.

Body-Worn Cameras (BWCs). From 2014 to 2016, the percent of law enforcement agencies acquiring wearable and body-worn cameras increased by 180 percent. The trend continues as more states and local governments legislate mandatory use of BWCs. In 2019, the Department authorized a pilot program that allowed several federally-deputized TFOs from state and local agencies to comply with their agency's policy. To continue to expand this program, the USMS needs additional funding for the cost associated with the reviewing, approving, and storing the massive amount of data from BWCs.

McGirt v. Oklahoma. The *McGirt* case was argued before the Supreme Court of the United States in July 2020. The case concerned whether Oklahoma state courts had jurisdiction to try a citizen of the Creek Nation for criminal matters. The Court held that under the Indian Major Crimes Act, lands reserved for the Creek Nation in eastern Oklahoma constituted Indian Country. As a result, Federal courts are the appropriate venue to try a Creek citizen for criminal conduct instead of the Oklahoma state courts. The additional workload will have a significant effect on USMS operations and costs.

International Extraditions. The USMS is the Federal government's primary agency tasked with returning international fugitives to the United States safely and securely. The cost of removing an international fugitive from a foreign country and returning them to the United States varies by case. Multiple factors, including the location of the international fugitive, the type of removal method, and the appropriate level of security, contribute to this cost. The cost increase from FY 2019 to FY 2020 was primarily attributable to the increased reliance on chartered aircraft due to COVID-19; however, increases in the number of missions, higher commercial travel costs, requirements for a chartered aircraft, lodging, per diem, and overtime costs contribute to the expected cost increases in the future.

Mitigation: The USMS continuously seeks to improve its business processes, contain costs, and identify costs savings opportunities to ensure efficient, successful programs. Additionally, the USMS plans for potential budget effects from environmental factors, policy adjustments, and new requirements. A careful and detailed analysis allows the USMS to anticipate and respond accordingly.

Funding the program increase requests for ELSUR replacement, TFO BWCs, McGirt resources, and international extraditions will reduce the need to repurpose funding from other programs, which jeopardizes the USMS' ability to achieve its mission objectives.

Human Capital

Risk: If the USMS is unable to appropriately recruit, retain, and develop a highly skilled, diverse workforce to address critical needs, then the USMS may not be able to adequately respond to law enforcement requirements, management challenges, or operational needs.

Mitigation: As the USMS workload continues to increase, the staffing levels have not followed suit. To help mitigate this problem, the USMS has aggressively pursued sustainable solutions, including targeted DUSM recruiting specifically focused on establishing a diverse workforce. Finally, the USMS dedicated its resources to improve leadership training and establish a robust mentorship program to teach and retain current DUSM talent.

Cybersecurity

Risk: If legacy Information Technology (IT) systems within the USMS are not replaced before current security efforts become ineffective, vulnerable network systems may be subject to damage, exploitation, or use for unauthorized purposes.

Mitigation: The ongoing modernization of USMS law enforcement systems, through the development and deployment of the new case management system, is retiring high risk legacy IT systems, improving security, management, development, operations, and maintenance. The USMS is transitioning from owning servers, and the cost associated with them, to secure cloud-based options. Continued investment to manage cybersecurity risk will achieve significant cost avoidance through prevention.

II. Summary of Program Changes

Item Name	Description	Positions	FTE	Amount (\$000)	Page
Replacement of Electronic Surveillance Equipment	Funds the upgrade of electronic surveillance equipment which provides critical technological support to fugitive investigations.	0	0	\$20,222	58
Judicial Security and Protection	Ensures the rule of law through enhancing judicial security by increasing protection capacity, enhancing threat investigations, and improving mitigation capabilities.	185	93	\$33,432	64
Tactical Operations: SOG	Addresses domestic terrorism and combats violent crime by expanding the Special Operations Group.	20	10	\$12,239	77
Missing Child Investigations: JVTAs Support	Targets violent crime by enhancing the Missing Child Unit using the authorities provided in the Justice for Victims of Trafficking Act.	16	8	\$3,291	84
TFO: Body Worn Camera	Provides software and storage for data and video from the body worn cameras of federally-deputized Task Force Officers.	0	0	\$4,400	93
McGirt Resources	Provides the temporary personnel necessary to facilitate the expected transfer of felony cases from Oklahoma State Court to Federal Court due to the Supreme Court decision in McGirt v. Oklahoma.	0	0	\$8,700	97
International Extraditions	Funds the rising cost of returning international fugitives to the United States for judicial proceedings.	0	0	\$3,000	101
Total Request		221	111	\$85,284	

III. Appropriations Language and Analysis of Appropriations Language

United States Marshals Service

Salaries and Expenses

For necessary expenses of the United States Marshals Service, [\$1,496,000,000]\$1,640,550,000 of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$25,000,000 shall remain available until expended.

Analysis of Appropriation Language

No substantive changes proposed.

IV. Program Activity Justification

A. Judicial and Courthouse Security

<i>Judicial and Courthouse Security</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	1,691	1,531	\$482,111
2021 Enacted	1,722	1,553	\$513,862
Adjustments to Base and Technical Adjustments	0	15	\$21,441
2022 Current Services	1,722	1,568	\$535,303
2022 Program Increases	185	93	\$36,420
2022 Request	1,907	1,661	\$571,723
Total Change 2021-2022	185	108	\$57,861

<i>Judicial and Courthouse Security – IT Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	39	39	\$55,631
2021 Enacted	39	39	\$55,897
Adjustments to Base and Technical Adjustments	0	0	-\$915
2022 Current Services	39	39	\$54,982
2022 Program Increases	0	0	\$0
2022 Request	39	39	\$54,982
Total Change 2021-2022	0	0	-\$915

1. Program Description

The Judicial and Courthouse Security decision unit includes personal protection of Federal jurists, court officers, and other threatened persons where criminal intimidation impedes the functioning of the judicial process or any other official proceeding, or as directed by the Attorney General; facility security, including security equipment and systems to monitor and protect Federal court facilities; and security of in-custody defendants during court proceedings.

The USMS establishes security by assessing the potential threat, developing security plans based on risks and threat levels, and assigning the level of appropriate security resources required to maintain a safe environment and protect the Federal judicial process. High-security, high-profile events such as cases involving domestic and international terrorists, domestic and international

organized criminal organizations, drug traffickers, gangs, and extremist groups require extensive operational planning and support from specially trained and equipped personnel.

DUSMs are assigned to the 94 judicial districts (93 Federal districts and the Superior Court of the District of Columbia) to ensure protected members of the judicial family remain unharmed and the judicial process is unimpeded. The USMS also assigns a Judicial Security Inspector (JSI) to each district to provide specialized knowledge, skills, and competencies for evaluating security at Federal court facilities and off-site for judges, prosecutors, and other protectees. Additionally, the USMS has apportioned inspectors to each of the 12 judicial circuits to supervise protective operations when additional personal security is required due to threat-related activity.

Protective Intelligence

The USMS and the Federal Bureau of Investigations (FBI) work together to assess and investigate all inappropriate communications received. The FBI has responsibility for investigating threats for the purpose of prosecution. The USMS conducts protective investigations that focus on determining a suspect's true intent, motive, and ability to harm the targeted individual, regardless of the possibility for prosecution. These investigations are the USMS' highest priority and involve the systematic discovery, collection, and assessment of available information.

The USMS' Office of Protective Intelligence (OPI) provides guidance and oversight to district offices for investigation of threats and inappropriate communications directed at USMS protected persons and facilities. The OPI serves as the central point of intelligence and information related to the safety and security of members of the judiciary and other USMS protectees. The protective intelligence information OPI collects, analyzes, and disseminates to districts ensures appropriate measures are put into place to protect the judicial process.

Judicial Facility Security Program (JFSP)

The USMS administers the JFSP, which is funded through the Court Security appropriation within the Federal judiciary. Central to JFSP's mission is the management of approximately 5,700 contracted court security officers who provide physical security at more than 400 court facilities throughout the nation.

In addition to maintaining physical security of Federal courthouses, the USMS develops and implements electronic security system installation plans to protect courthouses. These capabilities are critical to the safety of judicial officials, courtroom participants, the general public, and USMS personnel. Cameras, duress alarms, remote door openers, and other security devices improve overall security posture. When incidents occur, the USMS is equipped to record events, monitor personnel and prisoners, and send additional staff to identify and stabilize situations requiring a tactical response.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Judicial and Courthouse Security											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		1,582	\$482,111 [\$10,686]	1,617	\$482,081 [\$10,686]	1,633	\$513,862 [\$12,084]	115	\$57,861 [-\$3,000]	1,748	\$571,723 [\$9,084]
TYPE	PERFORMANCE	FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		1,582	\$482,111 [\$10,686]	1,617	\$482,081 [\$10,686]	1,633	\$513,862 [\$12,084]	115	\$57,861 [-\$3,000]	1,748	\$571,723 [\$9,084]
Performance Measure	1. Potential threats to protected persons		4,500		4,261		4,229		6		4,235
Performance Measure	2. Threats investigated		850		1,048		915		1		916
Performance Measure	3. Threat-based protective details		25		6		13		0		13
Performance Measure	4. Assaults against protected persons*		0		1		0		0		0

* Denotes inclusion in the DOJ Status Report and DOJ Annual Performance Plan

Data Definition, Validation, Verification, and Limitations:

Performance Measure – Workload

1. Potential threats to protected person

- a. **Data Definition:** The number of any action or communication, whether explicit or implied, of intent to assault, resist, oppose, impede, intimidate, or interfere with any member of the Federal Judiciary, or other USMS protected person, in the performance of their official duties. A threat may be written, verbal, or gestured, and may be delivered directly or relayed through third parties. Threats are calculated by the number of *security incidents* – activity that requires documentation, but not further investigation (i.e. disruptive, suspicious, unauthorized persons or events); *preliminary assessment* – investigative activity that is done absent a triggering event. Requires some investigation and may require intelligence or behavioral analyses; or a *predicated protective investigation* – investigative activity where an adequate triggering event is present indicating a crime has or might take place. Success is defined as actuals below the estimate. Estimate represents maximum performance.
- b. **Data Validation and Verification:** Numbers are calculated utilizing information technology data from the JDIS and Capture. Data validated by the USMS Judicial Security Division.
- c. **Data Limitations:** This data is accessible to all districts and is updated as new information is collected. There may be a lag in the reporting of data.

Performance Measures – Outputs, Efficiencies, and Outcomes

2. Threats investigated

- a. **Data Definition:** The total number of threats that received a *preliminary assessment* – investigative activity that is done absent a triggering event. Requires some investigation and may require intelligence or behavioral analyses; or a *predicated protective investigation* – investigative activity where an adequate triggering event is present indicating a crime has or might take place. Success is defined as actuals below the target. Target represents maximum performance.
- b. **Data Validation and Verification:** Numbers are calculated utilizing information technology data from the JDIS and Capture. Data validated by the USMS Judicial Security Division.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

3. Threat-based protective details:

- a. **Data Definition:** A protective detail is a security assignment of 24-hour continuous detail or a portal-to-portal protective detail resulting from threat assessment. A protective detail can be for anyone that is under USMS protection. Success is defined as actuals below the target. Target represents maximum performance.

- b. **Data Validation and Verification:** Numbers are calculated utilizing information technology data from the JDIS and Capture. Data validated by the USMS Judicial Security Division.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

4. Assaults against protected persons

- a. **Data Definition:** Includes criminal assault motivated by protectee status as Federal jurists, court officers, and other threatened persons in the interest of justice, where criminal intimidation impedes on the functioning of the judicial process or any other official proceeding or as directed by the Attorney General and in-custody defendants during court proceedings. Success is defined as the actual meeting the target.
- b. **Data Validation and Verification:** Numbers are calculated utilizing information technology data from the JDIS and Capture. Data validated by the USMS Judicial Security Division.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

PERFORMANCE MEASURE TABLE								
Decision Unit: Judicial and Courthouse Security								
Performance Report and Performance Plan Targets		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
		Actual	Actual	Actual	Actual	Actual	Target	Target
Performance Measure	1. Potential threats to protected persons	N/A	N/A	N/A	N/A	4,261	4,229	4,235
Performance Measure	2. Threats investigated	N/A	N/A	N/A	N/A	1,048	915	916
Performance Measure	3. Threat-based protective details	N/A	N/A	N/A	N/A	6	13	13
Performance Measure	4. Assaults against protected persons	0	0	1	0	1	0	0

N/A = Data Unavailable

3. Performance, Resources, and Strategies

The USMS maintains the integrity of the Federal judicial system by:

- ensuring that U.S. Courthouses, Federal buildings, and leased facilities occupied by the Federal judiciary and the USMS are secure and safe from intrusion by individuals and technological devices designed to disrupt the judicial process
- guaranteeing that Federal judges, attorneys, defendants, witnesses, jurors, and others can participate in uninterrupted court proceedings
- assessing inappropriate communications and providing protective details to Federal judges or other members of the judicial system
- maintaining the custody, protection, and security of prisoners and the safety of material witnesses for appearance in court proceedings, and
- limiting opportunities for criminals to tamper with evidence or use intimidation, extortion, or bribery to corrupt judicial proceedings

The USMS assesses the threat level at all high-risk proceedings, develops security plans, and assigns the commensurate security resources required to maintain a safe environment, including the possible temporary assignment of DUSMs from one district to another to enhance security. Where a proceeding is deemed high-risk, the USMS district staff and JSIs develop an operational plan well in advance of when a proceeding starts.

Measure: Assaults against protected persons

FY 2020 Target: 0

FY 2020 Actual: 1

Strategic Objective: Identify, Deter, and Prevent Harm to Protected Persons through Forward-Looking, Risk-Based Approaches to Protection and Intelligence

Rolling out a new judicial services data capture and reporting tool. The USMS developed the Performance, Resource, and Oversight Tool Using Enhanced Collection Technology (PROTECT) module within its Capture application to provide better oversight of the security and related resource needs for all federal courthouse facilities. The PROTECT Facility Security Review feature quantifies exactly how secure each federal courthouse facility is by computing a numeric Facility Security Profile score. To accomplish this, the agency developed an enterprise-wide assessment and measurement standard that all districts now follow, which is based on the USMS requirements and specifications for facilities. This new functionality allows the agency to take a standardized approach to assess more than 45,000 facility security requests received annually. In FY 2019, this automation saved USMS staff over 33,000 hours per year by automatically generating a Facility Security Profile score for all courthouses using a standard algorithm.

Another feature of PROTECT is the ability to electronically submit all Security Resource Requests. This new functionality allows the agency to have total visibility into all annual requests and make fact-based decisions for funding the highest priority locations to address the most critical deficiencies. This automation now saves USMS staff over 22,000 hours per

year. Additionally, the PROTECT module allows the USMS to create, manage, and track service ticket input and progress for malfunctioning equipment for all federal courthouse facilities. This automation allows a service request to be entered in less than one minute.

Strategic Objective: Promote Intelligence Sharing and Collaboration

Optimizing the USMS Strategic Enterprise. As a cross-functional organization, the USMS relies on the structured coordination and integration of its operational activities to complete its mission objectives effectively and efficiently. One of the principal challenges in meeting this mission is the ability to accurately identify, assess, and respond to security threats, vulnerabilities, and risks. To optimize the agency's capability of providing for the security of federal court facilities and the safety of judges and other court personnel, a USMS team designed and piloted a framework that eliminates insular security management protocols.

B. Fugitive Apprehension

<i>Fugitive Apprehension</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	2,088	1,890	\$567,758
2021 Enacted	2,089	1,898	\$586,704
Adjustments to Base and Technical Adjustments	0	0	\$22,754
2022 Current Services	2,089	1,898	\$609,458
2022 Program Increases	16	8	\$34,325
2022 Request	2,105	1,906	\$643,783
Total Change 2021-2022	16	8	\$57,079

<i>Fugitive Apprehension – IT Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	46	46	\$65,616
2021 Enacted	46	46	\$65,928
Adjustments to Base and Technical Adjustments	1	1	-\$1,079
2022 Current Services	47	47	\$64,849
2022 Program Increases	0	0	\$4,400
2022 Request	47	47	\$69,249
Total Change 2021-2022	1	1	\$3,321

1. Program Description

The Fugitive Apprehension decision unit includes domestic and international fugitive investigations, fugitive extraditions and deportations, sex offender investigations, technical operations, and the management and disposal of seized and forfeited assets. The USMS is authorized to investigate such fugitive matters, both within and outside the United States, as directed by the Attorney General, although this authorization is not to be construed to interfere with or supersede the authority of other Federal agencies or bureaus.

Domestic Fugitive Investigations

The USMS is the Federal government's primary agency for apprehending fugitives and provides assistance and expertise to other Federal, state, and local law enforcement agencies in support of

fugitive investigations. The USMS works aggressively to reduce violent crime through the apprehension of fugitives using a nationwide network of task forces and other investigative resources such as criminal intelligence, electronic, air, and financial surveillance.

Currently, the USMS is the lead agency for 56 district-led fugitive task forces and eight RFTFs. District task forces, composed of district USMS personnel and state and local law enforcement officers, investigate Federal felony warrants where the USMS has execution authority and egregious state and local fugitives within the district. RFTFs partner with Federal, state, and local law enforcement agencies and focus investigative resources to locate and apprehend the most egregious state and local fugitives within the task force's region, and to assist in high-profile investigations that identify criminal activities for future state and Federal prosecutions. The nationwide network of USMS fugitive task forces focuses investigative efforts and resources to combat violent crime by targeting fugitives wanted for committing violent felony offenses.

The USMS prioritizes investigation and apprehension of some of the country's most dangerous fugitives by allocating resources and funding to its 15 Most Wanted Fugitive Program and Major Case Fugitive Program. These initiatives target high-profile offenders who tend to be career criminals with histories of violence and pose a significant threat to public safety.

In addition, the USMS is responsible for most fugitive investigations conducted on behalf of Organized Crime Drug Enforcement Task Forces (OCDETF). In partnership with OCDETF, the USMS assists state and local partner agencies in apprehending numerous drug-related and organized crime felons who are eventually prosecuted at the state level.

International Fugitive Investigations

In addition to domestic investigations, the USMS investigates international fugitives. The globalization of crime, coupled with the immediate mobility of fugitives, requires an intensive effort to identify, locate, apprehend, and remove transnational fugitives who flee the jurisdiction of one country only to seek refuge in another. The USMS developed several international fugitive programs to effectively combat this challenge. Resources committed to this mission include four foreign field offices, six regional desks at Headquarters, and the Canada and Mexico investigative liaison programs. Additionally, the USMS oversees liaison positions at the International Criminal Police Organization (INTERPOL)–United States National Central Bureau (USNCB), the DOJ Office of International Affairs (OIA), and the El Paso Intelligence Center (EPIC). The USMS also provides direction, oversight, and training on international investigations and the extradition process to Federal, state, local, and foreign law enforcement agencies and prosecutors' offices.

The USMS is the lead agency responsible for investigation and apprehension of international and foreign fugitives. Through Memorandums of Understanding with Federal law enforcement agencies and from requesting state or local agencies, the USMS has apprehension responsibility for fugitives who leave the jurisdiction of the United States. Extraterritorial investigations are conducted in concert with other law enforcement agencies in countries lacking a USMS presence. Through agreements with USNCB, OIA, and foreign law enforcement authorities, the USMS also investigates foreign fugitives within the borders of the United States.

Of the USMS active fugitive caseload, the International Investigations Branch (IIB) has open active investigations on more than 1,000 international fugitives who have fled the United States, and is also investigating over 200 fugitives wanted by foreign countries who are believed to be in the United States. The IIB also tracks fugitives who have valid U.S. warrants, but cannot be returned to the United States due to limitations of bilateral treaties or cases not accepted for prosecution. These fugitives are tracked to ensure investigative due diligence for potential removal should circumstances change.

The management and execution of the U.S. Government's extradition program is a second critical mission. The USMS has statutory responsibility for conducting complex international extraditions from foreign countries to the United States on behalf of all Federal, state, and local law enforcement agencies. The USMS manages extradition logistics through strong partnerships with OIA, U.S. law enforcement personnel abroad, and foreign authorities. The USMS reciprocates by assisting foreign authorities conducting extraditions from the United States.

Sex Offender Investigations

As the lead law enforcement agency responsible for investigating sex offender registration violations, the USMS has three distinct missions pursuant to the Adam Walsh Child Protection and Safety Act:

- Assisting state, local, tribal, and territorial authorities in the location and apprehension of non-compliant sex offenders.
- Investigating violations of 18 USC § 2250 and related offenses.
- Assisting in identification and location of sex offenders relocated due to major disasters.

To accomplish these missions, the USMS partners with State, local, military, tribal, and territorial law enforcement authorities as well as the National Center for Missing and Exploited Children (NCMEC).

The USMS established the National Sex Offender Targeting Center (NSOTC) to further enhance its capabilities and support state and local partners. The NSOTC and the USMS Sex Offender Investigation Coordinators in the field partner with the DOJ's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) and agencies such as Department of Defense (DOD), INTERPOL, the Department of State – Diplomatic Security Service (DOS-DSS), and Customs and Border Protection to identify, locate, and prosecute non-compliant sex offenders domestically and internationally. Additionally, the NSOTC now receives notification from the DOD's Military Correctional Branch when military convicted sex offenders are released, which allows enforcement officials to better identify non-compliant sex offenders for arrest and prosecution. Sex offender investigation activities also support the DOJ's National Strategy for Child Exploitation Prevention and Interdiction.

Technical Operations

The Technical Operations Group provides the USMS, other Federal agencies, and State or local law enforcement agencies with timely and technologically advanced electronic surveillance and investigative intelligence. TOG operates from eight Regional Technical Operations Centers

(RTOCs) and 21 field offices throughout the United States and Mexico. The USMS assists hundreds of other Federal, state, and local law enforcement agencies in support of thousands of the nation's most critical and time-sensitive investigations. TOG's two branches, the Electronic Surveillance Branch (ESB) and the Air Surveillance Branch (ASB), work synergistically.

The ESB provides state-of-the-art electronic surveillance assistance in fugitive investigations. It deploys sophisticated commercial and sensitive technical surveillance technologies for interception of hard-line and cellular telecommunications, Wi-Fi collection and emitter location, and Global Positioning System (GPS) and radio frequency tagging/tracking. The ESB also conducts computer and cellular exploitation and on-scene forensic extraction, photo/video surveillance, and technical surveillance sweeps to detect surreptitious monitoring devices.

The ASB provides aerial support for missions throughout the USMS using specially equipped fixed wing aircraft outfitted with advanced avionics, surveillance, and communications capabilities. The aircraft and pilots, co-located with the RTOCs, provide investigative, surveillance, and reconnaissance capabilities including still and motion aerial imagery and enhancement, aerial RF beacon tracking, mobile communication command and control, and electronic surveillance package deployment in support of fugitive investigative missions.

TOG is the USMS liaison to the U.S. Intelligence Community (IC) with respect to signal intelligence, measurement and signature intelligence, imagery intelligence, electronic intelligence, and communications intelligence. The USMS also shares its investigative tactics, techniques, and procedures with certain members of the IC and DOD. This collaborative effort has allowed all participants to enhance their capabilities and mission readiness.

Asset Forfeiture

The USMS is the primary custodian of the DOJ's Asset Forfeiture Program (AFP), whose mission is to support the use of asset forfeiture to disrupt and dismantle criminal enterprises, deprive wrongdoers of the profits and instrumentalities of criminal activity, deter crime, and restore property to crime victims while protecting individual rights. USMS fiduciary stewardship ensures seized assets are managed and disposed of efficiently and effectively. AFP agency participants include the FBI; the Drug Enforcement Administration; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the DOS-DSS; the Defense Criminal Investigation Service; the Food and Drug Administration; the U.S. Postal Inspection Service; and each U.S. Attorneys Office.

USMS Asset Forfeiture Financial Investigators (AFFI) proactively identify assets during investigations by working with investigative agencies and U.S. Attorneys Offices to conduct financial analyses that determine net equities of assets targeted for forfeiture, execute court orders, and assist in the physical seizure and security of the assets. AFFI positions are funded from the AFF and work exclusively in the USMS AFP.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Fugitive Apprehension											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		1,850	\$567,758 [\$483]	1,892	\$567,724 [\$483]	1,900	\$586,704 [\$411]	8	\$57,7079 [\$0]	1,908	\$643,783 [\$411]
TYPE	PERFORMANCE	FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity		1,850	\$567,758 [\$483]	1,892	\$567,724 [\$483]	1,900	\$586,704 [\$411]	8	\$57,7079 [\$0]	1,908	\$643,783 [\$411]
Performance Measure	1. Number of federal fugitives		52,915		51,318		56,254		1,001		57,255
Performance Measure	2. Number of assets received		12,740		13,837		12,480		2,320		14,800
	a. Cash		9,200		10,751		9,200		2,300		11,500
	b. Real Property		240		240		280		-80		200
	c. Conveyances		1,600		1,543		1,600		100		1,700
	d. All Other Areas		1,700		1,303		1,400		0		1,400
Performance Measure	3. Non-compliant sex offender investigations		1,896		2,759		2,827		(57)		2,770

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Fugitive Apprehension

Program Activity		Target FY 2020		Actual FY 2021		Projected FY 2021		Changes		FY 2022 Request	
Performance Measure	4. Number of assets disposed		12,480		10,848		12,480		2,320		14,800
	a. Cash		9,200		7,809		9,200		2,300		11,500
	b. Real Property		280		321		280		-80		200
	c. Conveyances		1,600		1,307		1,600		100		1,700
	d. All Other Assets		1,400		1,411		1,400		0		1,400
Performance Measure	5. Comparison of value returned to the fund										
	a. Real Property		75%		81%		75%		5%		80%
	b. Conveyances (vehicles, vessels, aircraft)		60%		77%		60%		12%		72%
Performance Measure	6. Assets disposed within procedural timeframes by category										
	a. Real Property		70%		85%		70%		0%		70%
	b. Conveyances (vehicles, vessels, aircraft)		85%		79%		85%		0%		85%
Performance Measure	7. Number of USMS federal and egregious non-federal fugitives apprehended / cleared		103,426		93,719		106,800		-9,945		96,855
Performance Measure	8. Number of percent federal fugitives apprehended / cleared*	31,749	60%	30,557	60%	36,012	64%	-4,132	-8%	31,880	56%

* Denotes inclusion in the DOJ Status Report

Data Definition, Validation, Verification, and Limitations:

Performance Measures – Workload

1. Number of federal fugitives:

- a. Data Definition:** Wanted fugitives include all those wanted at the beginning of the fiscal year, plus all fugitive cases received by the USMS throughout the fiscal year. Fugitives with multiple warrants are counted once.
- b. Data Validation and Verification:** Warrant and fugitive data is verified by a random sampling of National Crime Information Center (NCIC) records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC.
- c. Data Limitations:** Data is accessible to all districts and updated as new information is collected. There may be a reporting lag.

2. Number of assets received – includes a count of the number of assets received during the fiscal year.

- a. Data Definition (Cash):** The count of unique cash asset IDs received into USMS custody.
Data Definition (Real Property): The number of assets IDs categorized as a parcel of land that has been legally defined received into USMS custody.
Data Definition (Conveyances): The total number of unique asset IDs, categorized as vehicles, vessels or aircrafts received into USMS custody.
Data Definition (All Other Assets): The total number of unique asset IDs, less cash, real property, and conveyances received into USMS custody.
- b. Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
- c. Data Limitations:** Data is estimated based on the date extracted, as CATS data entry is continuous.

Performance Measures – Outputs, Efficiencies, and Outcomes

3. Non-compliant sex offender investigations:

- a. Data Definition:** Opened investigations of violators of the Adam Walsh Child Protection and Safety Act that reach the level of the Attorney General’s Guidelines for Conducting Domestic Investigations.
- b. Data Validation and Verification:** Office of Compliance Review (OCR) annual Self-Assessment Guide review of cases to DOJ and USMS policy and procedures. OCR also conducts annual on-site inspections of Districts and Divisions each year.
- c. Data Limitations:** Data entry often lags behind operations causing a delay in timely and accurate information. This lag varies by office size, staffing and other intangibles.

4. Number of assets disposed:

- a. Data Definition (Cash):** The count of unique cash asset IDs in USMS custody.

Data Definition (Real Property): The number of assets IDs categorized as a parcel of land that has been legally defined disposed.

Data Definition (Conveyances): The number of assets ID's categorized as vehicles, vessels or aircrafts disposed.

Data Definition (All Other Assets): The total number of unique asset IDs, less cash, real property, and conveyances disposed.

- b. Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls
- c. Data Limitations:** Data is estimated based on the date extracted, as CATS data entry is continuous.

5. Comparison of value returned to the fund:

Data Definition (Real Property): The percent proceeds returned to the fund through the sale of Real Property. The percentage is calculated as sale value of the asset at disposal, less management and disposition fees; divided by appraised value.

Data Definition (Vehicles): The percent proceeds returned to the fund through the sale of Vehicles. The percentage is calculated as sale value of the asset at disposal, less management and disposition fees; divided by the appraised value.

- a. Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
- b. Data Limitations:** Data is estimated based on the date extracted, as CATS data entry is continuous.

6. Assets disposed within procedural timeframes by category:

- a. Data Definition (Real Property):** The number of real property assets disposed within established procedural timeframes, divided by the total number of real property assets disposed.

Data Definition (Conveyances) [Vehicles, Vessels and Aircraft]: The number of conveyances disposed within established procedural timeframes, divided by the total number of conveyances disposed.

- b. Data Validation and Verification:** Data is estimated based on date extracted, as CATS data entry is continuous.
- c. Data Limitations:** Data is estimated based on the date extracted, as CATS data entry is continuous.

7. Number of USMS federal and egregious non-federal fugitives apprehended/cleared:

- a. Data Definition:** Includes physical arrest, directed arrest, surrender, dismissal, and arrest by another agency, when a Federal fugitive is taken into custody on a detainment order, and warrants that are dismissed to the other cleared categories. It also includes egregious non-Federal felony fugitives, including targeted state and local fugitives with an offense code of homicide, kidnapping, sexual assault, robbery, assault, threats, arson, extortion, burglary, vehicle theft, dangerous drugs, sex offenses, obscenity, family offenses, obstructing the police, escape, obstruction of justice, weapon offenses, and/or crime against persons.
- b. Data Validation and Verification:** See Federal fugitives (warrants) above. Prior to assigning state and local warrants, the Supervisory Deputy U.S. Marshal or designee is responsible for reviewing each case to verify it meets above criteria.
- c. Data Limitations:** Data is accessible to all districts and updated as new info is collected. There may be a reporting lag.

8. Number and percent of federal fugitives apprehended/cleared:

- a. Data Definition:** Percent cleared is calculated as the number of cleared fugitives divided by the sum of received fugitives (fugitives with a warrant issued during the fiscal year) and on-hand fugitives (fugitives with active warrants at the start of the fiscal year).
- b. Data Validation and Verification:** Warrant and fugitive data is verified by a random sampling of NCIC records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC.
- c. Data Limitations:** Data is accessible to all districts and updated as new info is collected. There may be a reporting lag.

PERFORMANCE MEASURE TABLE								
Decision Unit: Fugitive Apprehension								
Performance Report and Performance Plan Targets		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
		Actual	Actual	Actual	Actual	Actual	Target	Target
Performance Measure	1. Number of wanted federal fugitives	51,510	52,862	54,176	55,474	51,318	56,254	57,255
Performance Measure	2. Number of assets received	N/A	N/A	N/A	13,764	13,837	12,480	13,700
	a. Cash	N/A	N/A	N/A	9,926	10,751	9,200	10,500
	b. Real Property	N/A	N/A	N/A	341	240	280	200
	c. Conveyances	N/A	N/A	N/A	1,746	1,543	1,600	1,600
	d. All Other Assets	N/A	N/A	N/A	1,751	1,303	1,400	1,400
Performance Measure	3. Number of non-compliant sex offender investigations	1,920	2,352	2,394	2,238	2,759	2,827	2,827
Performance Measure	4. Number of assets disposed	N/A	N/A	N/A	13,330	10,848	12,480	14,800
	a. Cash	N/A	N/A	N/A	9,319	7,809	9,200	11,500
	b. Real Property	N/A	N/A	N/A	432	321	280	200
	c. Conveyances	N/A	N/A	N/A	1,717	1,307	1,600	1,700
	d. All Other Assets	N/A	N/A	N/A	1,862	1,411	1,400	1,400
Performance Measure	5. Comparison of value returned to fund							
	a. Real Property	91%	79%	82%	80%	81%	75%	80%
	b. Conveyance (vehicles, vessels, aircraft)	85%	63%	72%	62%	77%	60%	72%
Performance Measure	6. Assets disposed within procedural timeframes by category							
	a. Real Property	54%	59%	79%	79%	85%	70%	70%
	b. Conveyances (vehicles, vessels, aircraft)	75%	87%	90%	89%	79%	85%	85%
Performance Measure	7. Number of USMS federal and egregious non-federal fugitives cleared / apprehended	106,078	103,865	104,568	107,326	93,719	106,800	96,855
Performance Measure	8. Number/percent of federal fugitives apprehended / cleared	32,831	34,261	34,935	36,165	30,557	36,012	31,880
		65%	64%	64%	65%	60%	64%	56%

N/A = Data Unavailable

3. Performance, Resources, and Strategies

One of the challenges facing the fugitive apprehension program is the volume of program responsibility. To achieve the greatest public protection with available resources, the fugitive program focuses on the most egregious Federal, state, and local offenders. This requires strategic selection of state and local fugitive cases. The current measures focus on cases in which the USMS has held the primary arresting authority and cases that arguably have a greater impact on public safety, making them a USMS fugitive apprehension priority.

Measure: Number of USMS federal and egregious non-federal fugitives apprehended/cleared

FY 2020 Target: 103,426

FY 2020 Actual: 93,719

Measure: Number and percent of USMS federal fugitives apprehended/cleared

FY 2020 Target: 31,749 / 60%

FY 2020 Actual: 30,557/ 60%

Strategic Objective: Expand Investigative Capabilities through a Combination of Technology and Strategic Partnerships

Utilizing advance strategic and tactical intelligence functions. In FY 2019, the USMS procured two fixed-wing aircraft that will increase and strengthen investigative operations support. The USMS now has the capability to conduct real-time aerial intelligence, surveillance, and reconnaissance. The utilization of aircraft in investigative missions saved the USMS valuable personnel hours that otherwise would have been spent on ground-based logistics and multi-day travel, thereby enhancing the efficiency of apprehending actively evasive fugitives. The USMS conducted 446 domestic and international aviation missions in FY 2019 that aided in the capture of violent fugitives and drug traffickers, to include multiple 15 Most Wanted cases.

Investing in Gang Enforcement infrastructure. The USMS Gang Enforcement mission is to provide communities with immediate relief from violent, gang-related crime through the strategic targeting of fugitive gang members and the organizations that harbor them. The agency's mobile counter-gang models known as Operation Triple Beam (OTB) and Operation Washout (OWO) are the primary contributors to achieving this mission. These operations can also serve as an effective enhancement to the OCDETF as a result of evidence seized and intelligence developed concerning larger criminal enterprises during the course of an operation. In FY 2019, in direct support of the DOJ's Project Safe Neighborhoods Initiative and the National Public Safety Partnership, USMS-led gang enforcement initiatives resulted in approximately 4,400 arrests and the seizure of more than 700 illegal firearms.

- Following OTB Salinas, the city saw an 88 percent decrease in homicides and a 60 percent decrease in violence.
- Following OTB Wichita, the city had its first drop in violent crime in over five years, including a 30 percent reduction in homicides, a 29 percent reduction in robberies, and a 40 percent reduction in shootings.

Increasing capacity to combat violent crime. In FY 2019, the USMS created the Escape Response Plan, a pre-planning tool designed to assist investigators when a prisoner escapes from physical custody. The first 72 hours following a prisoner escape is crucial, requiring skilled and sustained law enforcement and administrative support. The systematic response plan establishes best practices to streamline pre-planning, administrative, investigative, operational, and post-apprehension responsibilities. The USMS will disseminate a guide and quick-reference checklists to USMS field offices, helping improve response capabilities at the local level.

Profiling USMS fugitives through media partnerships continues to be successful. The inaugural season of In Pursuit with John Walsh aired on the cable television network Investigation Discovery on January 16, 2019. In total, Season 1 highlighted 28 USMS fugitive cases over 12 episodes. Each episode featured four fugitive profiles and two missing children spotlights. The agency established a dedicated call center at the NCMEC to vet tips received by phone, email, and through the Investigation Discovery website and facilitate the dissemination of tips to appropriate USMS field offices. In FY 2019, the USMS captured four featured fugitives, including a 15 Most Wanted fugitive, as a result of information received at the NCMEC call center after being aired. USMS criminal investigators and analysts continue to actively investigate the hundreds of tips received during live shows and reruns throughout the year.

Asset Forfeiture

Asset forfeiture targeting is becoming increasingly complex, creating the need for greater collaboration at all phases of a case. Successful forfeiture requires a cadre of trained individuals with specialized skills and a focus on pre-seizure planning to permit evaluation of the assets seized and the potential value returned to the fund. Continued focus on evaluation of the type of asset seized and effective management of inventory and disposal ensures the highest return to the fund for reinvestment in state and local law enforcement and the community.

Measure: Comparison of value returned to the fund

FY 2020 Target:

Real Property: 75%

Conveyances: 60%

FY 2020 Actual:

Real Property: 81%

Conveyances: 77%

Strategic Objective: Promote Effective and Efficient Governance and Asset and Vendor Management

Managing two of the largest vessel cases in the history of the Asset Forfeiture Program. In 2017, through cooperation with the government of Bonaire (a special municipality of the Netherlands in the Caribbean Sea), the USMS took possession of a 100-foot custom Ferretti

yacht, Navigante, linked to a joint Drug Enforcement Administration and Internal Revenue Service (IRS) case and brought it back to the U.S. The yacht was maintained in the Southern District of Florida (S/FL) through the duration of its court proceedings. In the late spring of 2019, the Navigante was forfeited, and the USMS conducted a specialized auction of the vessel, which realized a final sales price of \$3.24 million. The USMS anticipates sharing part of these proceeds with Bonaire for their efforts in seizing the yacht.

The government of Nigeria asked for assistance in recovering assets purchased with funds stolen from their government by politicians they were criminally prosecuting. The DOJ's Office of International Affairs coordinated with the USMS to seize the 200-foot custom yacht, Galactica Star in Cancun, Mexico and bring it back to the U.S. Like the Navigante, the Galactica Star was also maintained in the S/FL as the U.S. worked to domesticate the Nigerian court order. The DOJ and USMS worked with a third-party broker to facilitate the sale, which realized a final sales price of \$38 million.

Coordinating the largest vehicle seizure in the history of the Asset Forfeiture Program.

The USMS led the onsite seizure and inventory of over 185 vehicles owned by Jeffrey Carpoft, who operated D.C. Solar, a \$1 billion Ponzi-scheme in the Eastern District of California. With minimal advanced notice, the two-day operation involved a significant law enforcement presence at the Federal, State, and local levels to include a dozen USMS administrative staff. This effort resulted in the itemization, valuation, transportation, and storage of over \$3 million in assets from the largest single vehicle seizure in the history of the Asset Forfeiture Program. Significant logistical planning ensured the services acquired for takedown day were secured, economical, and efficient. A court-ordered sale of 148 vehicles in Woodland, California, netted \$8.2 million.

Concurrently, USMS personnel from across the country mobilized to provide additional support for the large-scale search warrant operation in conjunction with FBI and IRS fraud investigators. The USMS team assisted in the seizure takedown, identifying further assets and financial accounts subject to forfeiture, and identifying potential ownership claims. The USMS assistance in this joint effort resulted in the seizure of over \$47 million in financial accounts, U.S. currency, jewelry, and vehicles, and an additional \$60 million of real property targeted for forfeiture located throughout California, Nevada, North Carolina, Texas, and Mexico.

Non-Compliant Sex Offender Investigations

Working with Federal, state, local, and tribal partners, USMS is protecting potential victims from abuse and exploitation by increasing the number of opened investigations related to non-compliant sex offenders. The USMS also coordinates enforcement efforts with USNCB to identify sex offenders engaging in international travel to ensure they are in compliance with their registration.

Measure: Non-compliant sex offender investigations

FY 2020 Target: 1,896

FY 2020 Actual: 2,759

Strategic Objective: Protect Children and Communities through the Rigorous Investigation and Arrest of Noncompliant Sex Offenders

Implementing USMS responsibilities under the International Megan’s Law. In FY 2019, the USMS received, processed, and directed more than 2,000 international travel notifications received from state and jurisdictional sex offender registries to INTERPOL, roughly the same amount as FY 2018. Additionally, the USMS vetted the current registration status of more than 3,400 sex offenders who traveled internationally, 26 percent more than FY 2018. As a direct result of this vetting process, the USMS opened more than 170 investigations for federal sex offender registration violations, traveling internationally without providing notification.

Increasing USMS investigations, outreach, and initiatives related to missing, endangered, or abducted children. In FY 2019, the USMS recovered 275 critically missing children, a 38 percent average annual increase since 2015. The USMS recovered nine children internationally. The USMS hosted three specialized training courses specific to the investigation and recovery of critically missing children, as well as led six missing child operations working collaboratively with its federal, state, and local partners. As a direct result of these relentless efforts, in September 2019, the USMS recovered its 1,500th Critically Missing Child since 2005 when the agency began recording this metric.

The USMS strengthened the partnerships between federal and local law enforcement agencies in the U.S. Virgin Islands (USVI). In July 2019, the USMS conducted Operation Loophole, a sex offender compliance operation with a multifaceted focus of training, enforcing, and reassessing Federal and local law enforcement agencies involved with registration, reporting, and enforcement of sex offender registration. The USMS briefed U.S. Customs and Border Protection officers on applicable laws to assist with sex offender compliance. The initiative was well-received and solidified the relationship between the USMS and territorial law enforcement, resulting in a unified approach to holding noncompliant sex offenders accountable in USVI. Approximately 40 registered sex offenders were assessed for potential violations.

In August 2019, the USMS partnered with authorities in the District of Guam to conduct Operation Deviant Guard. Investigators spent one week in Guam and one week in Saipan to conduct compliance checks of registered sex offenders and enforce warrants. Participants included the Judiciary of Guam Marshals, Guam Probation Office, U.S. Immigration and Customs Enforcement, and probation officers from the Northern Marianas Islands. The operation verified the residences of 159 registered sex offenders, 12 of whom were found to be noncompliant. The operation also resulted in the arrest of 18 individuals for various felony offenses, including one federal failure to register violation.

C. Prisoner Security and Transportation

<i>Prisoner Security and Transportation</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	1,012	916	\$253,344
2021 Enacted	1,012	919	\$264,254
Adjustments to Base and Technical Adjustments	0	0	\$10,506
2022 Current Services	1,012	919	\$274,760
2022 Program Increases	0	0	\$1,537
2022 Request	1,012	919	\$276,297
Total Change 2021-2022	0	0	\$12,043

<i>Prisoner Security and Transportation – IT Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	24	24	\$34,235
2021 Enacted	24	24	\$34,397
Adjustments to Base and Technical Adjustments	0	0	-\$563
2022 Current Services	24	24	\$33,834
2022 Program Increases	0	0	\$0
2022 Request	24	24	\$33,834
Total Change 2021-2022	0	0	-\$563

1. Program Description

The Prisoner Security and Transportation decision unit is complex and multi-layered, both in scope and execution. The USMS oversees all operational detention management matters pertaining to individuals remanded to the custody of the Attorney General. The USMS ensures the secure care and custody of these individuals throughout the judicial process, which includes sustenance, necessary medical care, secure lodging and transportation, evaluating conditions of confinement, and protection of civil rights. Every detainee in USMS custody must be processed by a DUSM or security personnel. This includes processing prisoners in the cellblock (prisoner intake) and securing the cellblock area; transporting prisoners (by ground or air); and locating confinement that provides cost-effective, safe, secure, and humane detention services.

Prisoner Processing and Securing the Cellblock

Prisoner processing includes interviewing the prisoner to gather personal, arrest, prosecution, and medical information; fingerprinting and photographing the prisoner; entering/placing the data and records into an internal electronic database and the prisoner file; and sending the electronic fingerprint information to the FBI's Integrated Automated Fingerprint Identification System. The USMS tracks prisoners primarily in a database from the point a prisoner is received until released from USMS custody or sentenced to the Federal Bureau of Prisons (BOP) for service of sentence.

The cellblock is the secured area for holding prisoners in the courthouse before and after they are scheduled to appear in their court proceedings. Security personnel follow strict safety protocols in the cellblocks to ensure the safety of USMS employees and all members of the judicial process, including prisoners. Prior to entrance into the cellblock, security personnel search prisoners and their belongings to ensure that prisoners and their property are free of contraband. Security personnel are required to be present when cells are unlocked or entered, when prisoners are moved into or out of the cellblock or holding cell areas, when prisoners of the opposite sex are being handled, or when meals are being served. Female and juvenile prisoners must be separated by sight and sound from adult male prisoners within the cellblock. While in the cellblock, security personnel must observe and count the prisoners at regular intervals.

Prisoner Transportation

The USMS is responsible for transporting prisoners to and from judicial proceedings. Producing prisoners for court and detention-related activities requires USMS coordination with the U.S. Courts, Probation and Pretrial Service Offices, the BOP, U.S. Attorneys, and other law enforcement agencies.

Some jails agree to transport prisoners to and from courthouses at specified rates through an Intergovernmental Agreement (IGA) for guard services, other prisoners are transported by USMS operational personnel and contract guards. Security personnel coordinate with jails to prepare prisoners for transport, search prisoners prior to transport, and properly restrain prisoners during transportation.

In addition, the USMS is responsible for transporting prisoners between detention facilities for attorney visits, to and from medical appointments when necessary, and to a designated BOP facility after sentencing. When prisoners are wanted in more than one district for multiple Federal violations, the USMS is responsible for transporting prisoners to the requesting district upon completion of the court process in the home district.

Finally, the USMS operates and maintains the fleet of aircraft that comprise the Justice Prisoner and Alien Transportation System (JPATS). JPATS is a revolving fund – total operating costs are reimbursed by its customer agencies, primarily the USMS Federal Prisoner Detention (FPD) appropriation and the BOP. JPATS coordinates movement of the majority of Federal prisoners and detainees in the custody of the USMS and the BOP. JPATS also transports DOD, and state and local prisoners on a reimbursable, space-available basis.

Prisoner Confinement and Services

The USMS must ensure sufficient resources are available to house and care for the corresponding detainees. To ensure that Federal detainees are being confined securely and humanely and to protect their statutory and constitutional rights, the USMS established the Conditions of Confinement Program. Security personnel conduct annual reviews of all active IGA facilities. Additionally, detention facility inspections are required before the USMS enters into an IGA with a facility to house prisoners.

The care of Federal detainees in private, state, and local facilities, and the costs associated with these efforts are funded from the FPD appropriation. FPD resources are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to BOP. Detention resources provide for detainee housing and subsistence, health care and medical guards, intra-district transportation, JPATS transportation, process improvements, and incidental costs associated with prisoner housing and transportation such as prisoner meals while in transit and prisoner clothing.

2. Performance and Resource Table

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Prisoner Security and Transportation											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		895	\$253,344 [\$0]	916	\$253,329 [\$0]	919	\$264,254 [\$0]	0	\$12,043 [\$0]	919	\$276,297 [\$0]
TYPE	PERFORMANCE	FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		895	\$253,344 [\$0]	916	\$253,329 [\$0]	919	\$264,254 [\$0]	0	\$12,043 [\$0]	919	\$276,297 [\$0]
Performance Measure	1. Average daily prisoner population		64,274		61,571		61,115		-3,488		57,627
Performance Measure	2. Percent of monitoring reviews completed for active IGAs		100%		100%		100%		0%		100%
Performance Measure	3. Total prisoner productions		1,045,632		486,800		689,809		149,101		838,910
Performance Measure	4. Average detention cost (housing, medical and in-district transportation)*		\$93.00		\$97.64		\$104.04		-\$0.58		\$103.46

* Reported as part of the USMS Federal Prisoner Detention appropriation. ADP actuals may vary slightly, because S&E reports ADP recorded at the end of each fiscal year. FPD continually adjusts actual ADP reported based on corrections to available data that may occur after the end of the fiscal year.

Data Definition, Validation, Verification, and Limitations:

Performance Measures – Workload

1. Average daily prisoner population:

- a. Data Definition:** Average Daily Prisoner Population is calculated on a per capita, per day basis.
- b. Data Validation and Verification:** Data is maintained by JDIS. Monthly data from JDIS relating to paid detention beds is verified each month by completing a comparison, by district, between obligation data being reported out of UFMS and prisoner program data reported from JDIS.
- c. Data Limitations:** Limited by the timely entry of prisoner data into JDIS.

Performance Measures – Outputs, Efficiencies, and Outcomes

2. Percent of monitoring reviews completed for active IGAs:

- a. Data Definition:** Percentage of IGA facilities used by the USMS to house prisoners with a completed monitoring review.
- b. Data Validation and Verification:** Each year USMS personnel run reports comparing the facilities that should be inspected to those that were inspected.
- c. Data Limitations:** Limited by the timely entry of monitoring review results and identifying the appropriate facilities.

3. Total prisoner productions:

- a. Data Definition:** Total prisoners produced data combines both the USMS District counts and DC Superior Court counts and includes the number of times prisoners are produced for judicial proceedings, meetings with attorneys, or transported for medical care, between offices and between detention facilities.
- b. Data Validation and Verification:** USMS District data is maintained by JDIS. DC Superior Court data is maintained by a locally managed database and is updated daily. DC Superior Court will be transitioning to JDIS in the near future.
- c. Data Limitations:** Limited by the timely entry of prisoner data into JDIS and DC Superior Court's database, as appropriate. For DC Superior Court, more than 95 percent of prisoner productions are entered into the system on the same day they occur.

4. Average detention cost (housing, medical, and in-district transportation):

- a. Data Definition:** Total detention costs represent the aggregation of paid jail costs and health care costs on a per capita, per day basis.
- b. Data Validation and Verification:** Data reported is validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the

USMS. In accordance with generally accepted accounting principles, the USMS routinely monitors its financial data for new obligations and de-obligations.

- c. Data Limitations:** Maintaining prisoner movement data is a labor-intensive process. The reliability of the reported data is often compromised by time lags between the actual movement of prisoners and data entry of those events into JDIS. Accordingly, it is often necessary to delay reporting of official statistics several weeks to ensure that prisoner movement records have been properly updated. Data reported reflect the anticipated cost of services provided to USMS prisoners. If the actual cost is different from the anticipated cost, additional funds may need to be obligated or obligated funds, de-obligated. Due to the time lag between the rendering of services and the payment of invoices, several weeks may lapse before the actual cost of health care services provided to an individual prisoner can be determined

PERFORMANCE MEASURE TABLE									
Decision Unit: Prisoner Security and Transportation									
Performance Report and Performance Plan Targets		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020		FY 2021	FY 2022
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	1. Average daily prisoner population	51,400	50,532	55,872	61,789	64,274	61,571	61,115	57,627
Performance Measure	2. Percent of monitoring reviews completed for active IGAs	100%	99%	99%	99%	100%	100%	100%	100%
Performance Measure	3. Total prisoner productions	836,522	812,908	934,074	992,584	1,045,632	486,800	689,809	838,910
Performance Measure	4. Detention cost per capita, per day (including housing, medical and in-district transportation)	\$86.83	\$89.93	\$90.19	\$91.80	\$93.00	\$97.64	\$104.04	\$103.46

3. Performance, Resources, and Strategies

The USMS assures the integrity of the Federal judicial system by maintaining the custody, protection, and security of prisoners and ensuring that criminal defendants appear for judicial proceedings. Efficient management of detention resources necessitates that the USMS continuously analyze the courts' need for prisoners in relation to detention facility location and cost. This evaluation results in strategic movement of prisoners to various detention facilities as their cases progress. Prisoners are moved to closer facilities when they are more often needed to appear for court (for example, pretrial prisoners). Prisoners are moved to more distant facilities (which are often less costly) as their need to appear in court decreases. The USMS annually reviews every detention facility it utilizes to ensure conditions of confinement are humane and provide adequate security.

Measure: Detention cost – per capita, per day (including housing, medical, and in-district transportation)

FY 2020 Target: \$93.00

FY 2020 Actual: \$97.64

Strategic Objective: Deliver Secure, Modern, and Efficient Prisoner Detention and Transportation Operations

Contracting services to free resources. The USMS collaborated with the General Services Administration (GSA) to award a Blanket Purchase Agreement (BPA) for prisoner guarding and transportation. Although only 38 districts are currently using this guard and transportation service, the BPA is set up to accommodate all 94 districts. Contracting these services allows deputies to focus on critical public safety missions. The USMS trained Contracting Officer Representatives to oversee and inspect vendor performance in accordance with the Performance Work Statement and Quality Assurance Surveillance Plan. Using this BPA, the USMS will realize significant cost-savings by decreasing the staffing level needed to award and administer separate guard contracts for every district acquiring contract guard services. Moreover, consolidating district prisoner transportation and detention services under a GSA BPA will streamline the administrative responsibilities associated with acquisition planning, project management support, funding, task order issuance, invoicing, and reconciliation.

Upgrading prisoner enrollment stations. In FY 2019, the USMS continued its acquisition process to replace the outdated Justice Automated Booking Stations with the new, reduced-footprint Prisoner Enrollment Verification System. This enhanced prisoner enrollment system allows for the collection and temporary storage of prisoner biographical data and multiple high-quality multiple biometric modalities (such as iris, scars, and tattoos) in a single, secure platform. The acquisition will also include a limited set of portable enrollment systems that the USMS will use for Continuity of Operations situations, temporary replacement of malfunctioning equipment, and surge support.

Districts will use this collection of biographical and biometric data to manage and securely monitor prisoners in detention facilities and reduce redundant data collection on a prisoner processed by multiple agencies or DOJ components. The biometric data will only be utilized while the prisoner is in USMS custody. Once the prisoner is released or transferred to BOP custody, the biometric information will be purged.

Implementing new prisoner care standards. In December 2018, the FIRST STEP Act of 2018 was signed into law. The two areas of the law that impact the USMS are restrictions on the use of restraints on pregnant prisoners and the use of solitary confinement for juvenile prisoners. In 2019, the USMS Prisoner Operations Division (POD) implemented a new reporting requirement during the intake process to inform pregnant prisoners of the FIRST STEP Act restraint prohibition and the exceptions to the Act. Prisoners are now required to sign a form acknowledging they have received notification of the FIRST STEP Act restraint prohibitions. POD also updated the Pregnant Prisoner Restraints reporting platform to include adaptive guidance to users on the justification of restraint application and to ensure compliance and adherence with FIRST STEP Act requirements.

D. Protection of Witnesses

<i>Protection of Witnesses</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	249	225	\$61,000
2021 Enacted	249	225	\$63,245
Adjustments to Base and Technical Adjustments	0	0	\$2,406
2022 Current Services	249	225	\$65,651
2022 Program Increases	0	0	\$368
2022 Request	249	225	\$66,019
Total Change 2021-2022	0	0	\$2,774

<i>Protection of Witnesses – IT Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	5	5	\$7,132
2021 Enacted	5	5	\$7,166
Adjustments to Base and Technical Adjustments	0	0	-\$117
2022 Current Services	5	5	\$7,049
2022 Program Increases	0	0	\$0
2022 Request	5	5	\$7,049
Total Change 2021-2022	0	0	-\$117

1. Program Description

The Witness Security Program (WSP) provides protection for government witnesses whose lives are threatened as a result of their testimony against organized crime members, drug traffickers, terrorists, and other major criminals. The program provides physical security during trial proceedings, creates new identities, and relocates witnesses and their families after trial. WSP's successful operation is widely recognized as providing a unique and valuable tool in the war against organized crime, drug cartels, violent criminal gangs, and terrorist groups.

Three DOJ components work collaboratively to administer the WSP. The Criminal Division's Office of Enforcement Operations authorizes the entry of witnesses into the program. The BOP protects witnesses incarcerated in Federal prison facilities. The USMS protects civilian witnesses and their families, providing protection, relocation, re-identification, and assistance with housing, medical care, job training, and employment until they become self-sufficient.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Protection of Witnesses											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		221	\$61,000 [\$285]	225	\$60,997 [\$1]	225	\$63,245 [\$285]	0	\$2,774 [\$0]	225	\$66,019 [\$285]
TYPE	PERFORMANCE	FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		221	\$61,000 [\$285]	225	\$60,997 [\$1]	225	\$63,245 [\$285]	0	\$2,774 [\$0]	225	\$66,019 [\$285]
Performance Measure	1. Total number of witness security program participants		19,061		19,039		19,129		36		19,165
Performance Measure	2. Protection services required/ provided for witnesses (includes court productions)		2,395		1,869		2,366		-216		2,150
Performance Measure	3. Security breaches mitigated*		125		36		136		0		136

* Denotes inclusion in the DOJ Status Report

Data Definition, Validation, Verification, and Limitations:

Performance Measures – Workload

1. Total number of witness security program participants:

- a. Data Definition:** The total number of program participants, including immediate family members.
- b. Data Validation and Verification:** Case managers ensure the accuracy of data submitted to headquarters.
- c. Data Limitations:** Case management provides data on a monthly basis.

Performance Measures – Outputs, Efficiencies, and Outcomes

2. Protective services required/provided for witnesses (includes court productions):

- a. Data Definition:** Total number of witness productions, prisoner witness transports, prisoner witness family visits, preliminary interviews, temporary relocations, documentation initiations, documentation services (delivery-other), and breach investigations.
- b. Data Validation and Verification:** Regional managers ensure the accuracy of data submitted to headquarters.
- c. Data Limitations:** Witness Security Division (WSD) regions provide data to headquarters on a monthly basis.

3. Security breaches mitigated:

- a. Data Definition:** An action taken to mitigate a reported or detected event capable of compromising the identity, location, or general security of a protected witness.
- b. Data Validation and Verification:** Validation occurs when the actions taken have been documented, reviewed, and approved. Verification occurs when internal audits are conducted to identify the efficiency and effectiveness of the actions taken.
- c. Data Limitations:** The total number of security breaches is dependent upon the number of breaches reported or detected. Actions to mitigate the security breaches only occur when security breaches are detected or reported. A substantial number of security breaches are believed to be unreported or undetected.

PERFORMANCE MEASURE TABLE

Decision Unit: Protection of Witnesses

Performance Report and Performance Plan Targets		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
		Actual	Actual	Actual	Actual	Actual	Target	Target
Performance Measure	1. Total number of witness security program participants	18,751	18,865	18,914	18,995	19,039	19,129	19,165
Performance Measure	2. Protected services required/provided for witnesses	2,455	2,689	2,440	2,371	1,869	2,366	2,150
Performance Measure	3. Security breaches mitigated	133	120	130	61	36	136	136

3. Performance, Resources, and Strategies

The funding is necessary to ensure that critical protective services are provided to protected witnesses testifying in direct support of significant DOJ prosecutorial efforts against organized crime, international drug trafficking organizations, violent street gangs, and international terrorist groups. The USMS continues to examine WSP methodologies to ensure that effective protection and security services are provided to protected witnesses and authorized participants while also exercising cost efficiencies.

Measure: Security breaches mitigated

FY 2020 Target: 125

FY 2020 Actual: 36

Strategic Objective: Strengthen the Agency's Ability to Protect Sensitive and Vital Information, Technology, and Infrastructure against Threats

Identifying and mitigating IT risk within WSP. One way to accomplish this is to receive an Authority to Operate (ATO) certificate. This project spanned several fiscal years and led to achieving the ATO in early 2019. An onsite assessment was conducted to validate the full compliance of security and operational integrity through the review of security controls. Using a risk-based decision matrix, comprehensive evaluations of the division's IT systems were performed. This included mitigating any risks identified by addressing software and hardware security safeguards; considering procedural, physical, and personnel security measures; and establishing the architecture, configuration, and implementation that meets the USMS WSP's specified security requirements throughout the division's IT system lifecycle. The issuance of the ATO not only mitigates risk but also complies with the federal laws, mandates, and agency policy.

Modernizing IT within WSP. Improvements to the IT budgeting process were implemented to document, manage, and trace IT procurements to the approved IT budget. This new approach provided USMS WSP leadership with greater budgetary transparency to help make informed and data-driven decisions, which will help reduce many years of accumulated technical debt. This approach is a forward-looking and proactive methodology for annual budget planning and forecasting.

E. Tactical Operations

<i>Tactical Operations</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	172	156	\$80,787
2021 Enacted	172	157	\$67,935
Adjustments to Base and Technical Adjustments	0	0	\$2,159
2022 Current Services	172	157	\$70,094
2022 Program Increases	20	10	\$12,634
2022 Request	192	167	\$82,728
Total Change 2021-2022	20	10	\$14,793

<i>Tactical Operations – IT Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2020 Enacted	6	6	\$8,559
2021 Enacted	6	6	\$8,599
Adjustments to Base and Technical Adjustments	0	0	-\$141
2022 Current Services	6	6	\$8,458
2022 Program Increases	0	0	\$0
2022 Request	6	6	\$8,458
Total Change 2021-2022	0	0	-\$141

1. Program Description

The Tactical Operations decision unit includes special operations and emergency management and response.

Special Operations

The Special Operations Group supports the DOJ and other government agencies with a highly trained, rapidly deployable corps of law enforcement officers specializing in tactical response. Based at the Special Operations Group Tactical Center in Camp Beauregard, Louisiana, SOG is an elite unit of DUSMs who meet high qualification standards and complete rigorous training in a variety of specialties. SOG supports all U.S. judicial districts by assisting with high-risk, sensitive law

enforcement operations including protective details, national emergencies, civil disturbances, and national disasters. Military, Federal, state, local, and foreign law enforcement groups often call upon SOG for training due to the extensive training of its members in various tactical specialties.

SOG also oversees the OMSU, which is composed of both SOG Medics and Collateral Duty DUSM Medics. The OMSU program manages, trains, and equips USMS DUSMs who possess a current Emergency Medical Technician (EMT) or EMT-Paramedic certification.

Emergency Management and Response

All USMS operational missions that fall under emergency management and response are coordinated through the USMS Communications Center and the Emergency Operations Center (EOC). The Communications Center operates around the clock to ensure interagency and intra-agency flow of communication. It provides informational assistance to DUSMs in the field who are tracking fugitives, developing leads, and confirming warrants. It also receives, tracks, and disseminates all significant incidents and classified information relevant to the USMS.

The EOC is activated during emergency incidents that require a coordinated agency-wide response, including responses under the Federal government's National Response Framework. The EOC is a critical element to ensure coordination and oversight of USMS deployments during emergencies, particularly when other government agencies are also involved.

In addition to the EOC, emergency management officials maintain the Continuity of Operations (COOP) plan for the USMS Headquarters and coordinate the COOP plans of all 94 districts in accordance with Federal Continuity Directives and DOJ Order 1900.8.

The USMS also oversees Incident Management Teams that are trained under the principles and doctrines of the National Incident Management System and the Incident Command System, in accordance with Homeland Security Presidential Directive 5. These teams deploy in support of USMS operations when an incident or event exceeds the capabilities of the district's or division's resources or when multiple districts or divisions are affected.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Tactical Operations											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		201	\$65,787 [\$16,378]	205	\$80,782 [\$16,378]	219	\$67,935 [\$24,588]	10	\$14,793 [\$0]	229	\$82,728 [\$24,588]
TYPE	PERFORMANCE	FY 2020		FY 2020		FY 2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		201	\$65,787 [\$16,378]	205	\$80,782 [\$16,378]	219	\$67,935 [\$24,588]	10	\$14,793 [\$0]	229	\$82,728 [\$24,588]
Performance Measure	1. Number of special operational hours dedicated to high-threat and emergency situations.		38,132		44,864		34,306		-1,056		33,250

Data Definition, Validation, Verification, and Limitations:

Performance Measures – Outputs, Efficiencies, and Outcomes

- 1. Number of special operation hours dedicated to high-threat and emergency situations – New (see note above)**
 - a. Data Definition:** The number of hours USMS SOG members expended in response to a high threat or emergency event. Success is defined as actuals below the target. Target represents maximum performance.
 - b. Data Validation:** Hours are validated against financial and special assignment data.
 - c. Data Limitation:** Hours are tracked via a manual process.

PERFORMANCE MEASURE TABLE								
Decision Unit: Tactical Operations								
Performance Report and Performance Plan Targets		FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
		Actual	Actual	Actual	Actual	Actual	Target	Target
Performance Measure	1. Number of special operational hours dedicated to high-threat and emergency situations.	31,040	22,556	15,028	52,763	44,864	34,306	33,250

3. Performance, Resources, and Strategies

The USMS provides effective assistance to all levels of government during emergencies, disasters, and times of heightened law enforcement requirements. The USMS deploys personnel and equipment in response to extraordinary district requirements, ensuring adequate resources are provided to maintain the integrity of the judicial process. The USMS is committed to:

- improving its capability to deploy personnel and equipment in response to terrorist acts, natural disasters, and other external missions directed by the Attorney General
- maintaining operational readiness for efficient movement of people and equipment, and
- coordinating communication between the Strategic National Stockpile Security Operations Unit and the Centers for Disease Control and Prevention to ensure adequate dissemination of intelligence information to thwart or respond to terrorist activities.

Measure: Number of special operation hours dedicated to high-threat and emergency situations

FY 2020 Target: 38,132

FY 2020 Actual: 44,864

Strategic Objective: Mitigate Officer Safety Risk across all Mission Areas

Expanding the Law Enforcement Safety Training Program. During FY 2019, 50 districts and divisions received funding and equipment above regularly scheduled officer safety classes. Instructors conducted active shooter training at USMS Headquarters for operational employees, which provided training for Civilian Response to Active Shooter Events. Instructors conducted a Tactical Training Officer course for 11 members of the National Anti-Corruption Bureau of Ukraine and provided two weeks of events for the Dominican Republic Foreign Field Office. Districts and divisions can now schedule their annual training events and maximize the allocation of instructional resources for agency-wide officer safety training.

Establishing officer safety training positions. To increase officer safety and mitigate risk, the USMS placed Officer Safety/Training (OST) positions in each of its eight RFTFs in FY 2019. OST Senior Inspectors are dedicated to developing and overseeing their RFTF's training program to mitigate risk and prepare task force members for their extremely dangerous mission of apprehending violent fugitives. This includes identifying state-of-the-art training techniques and tactical and safety equipment. The OST positions will take advantage of the agency's tactical training centers located in Atlanta, Birmingham, Chicago, and Los Angeles. Having dedicated training staff at the multi-district RFTFs will not only enhance officer safety, but also enable federal, state, and local task force members to participate in training programs that will further improve their skills as fugitive investigators.

A Task Force Officer (TFO) attached to Western District of Tennessee who had previously completed the USMS Deputy Trauma Course performed lifesaving medical interventions to a fellow Law Enforcement Officer (LEO) who sustained six gunshot wounds. The TFO applied a tourniquet to the arm of the LEO, who was bleeding profusely. The TFO then transported the injured LEO to the emergency department, thus saving the LEO's life.

Developing teams for natural disaster preparedness and response. The Strategic National Stockpile Security Operations (SNSSO) and Health and Human Services/Assistant Secretary for Preparedness and Response identified training and exercise plans for a multi-year comprehensive program. In support of this mission, the USMS implemented an advanced readiness training for direct intervention to an active shooter/threat event and conducted this training for SNSSO site security officers at six sites throughout the country. The SNSSO program established six deployment teams for response activities and developed a standard alert notification and warning order that is now used for all deployments.

V. Program Increases by Item

Item Name: Replacement of Electronic Surveillance Equipment

Budget Decision Unit: Fugitive Apprehension

Organizational Program: Investigative Operations Division

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$20,222,000

Description of Item

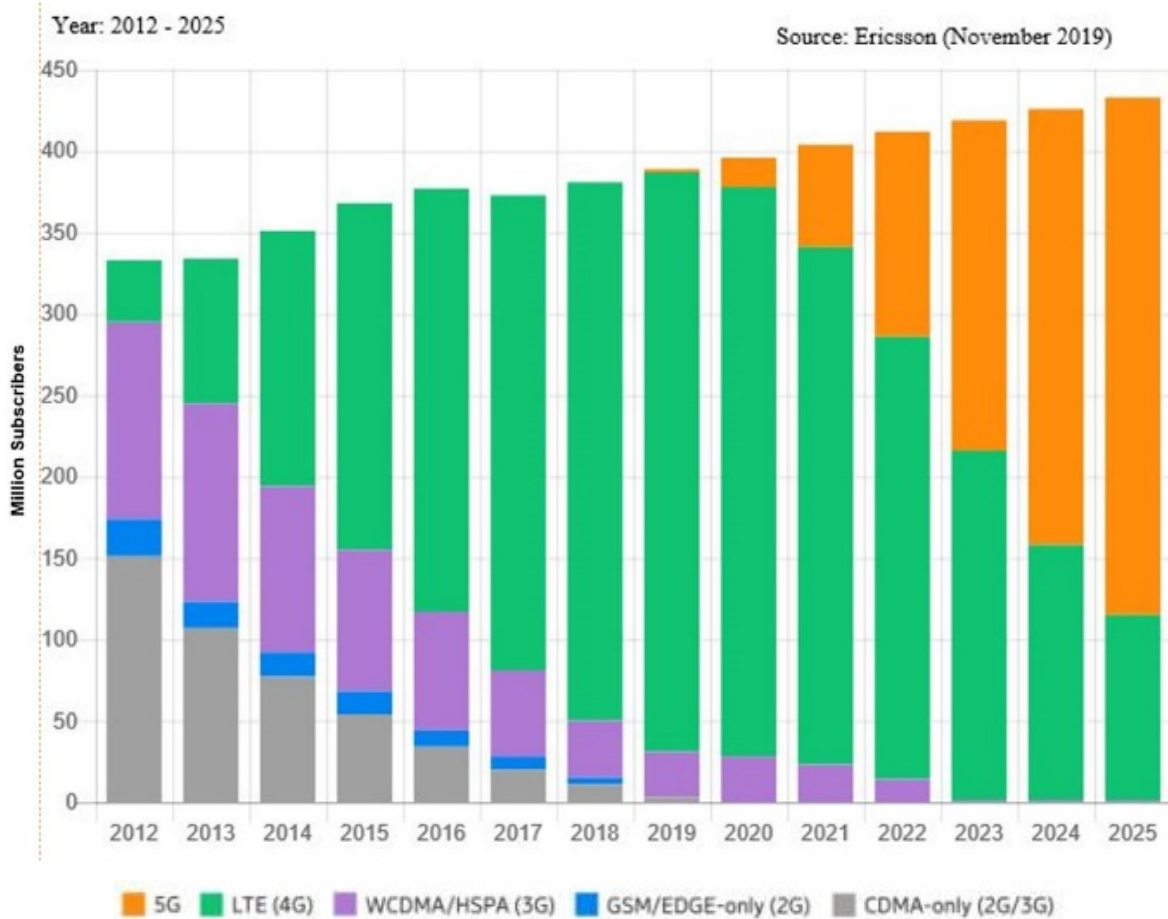
The USMS requests \$20,222,000 for the replacement of electronic surveillance equipment (ELSUR), which provides technological support to USMS and USMS-adopted investigations.

Justification

The USMS needs effective and compatible ELSUR capabilities to safely and quickly capture dangerous fugitives. Without adequate funding, current ELSUR equipment becomes obsolete due to the technical advancements in the telecommunications industry. This ineffectiveness creates a “going dark” scenario, where law enforcement cannot identify or geo-locate a targeted mobile device. The replacement or upgrade of surveillance equipment is needed to ensure the USMS has uninterrupted capabilities in the wireless arena. The FY 2021 President’s Budget requested one-time funding for ELSUR equipment specific to devices operating on Band Classes 14, 66, and 71. This request builds on the FY 2021 President’s Budget by providing base funding over the next four years to update ELSUR equipment to keep pace with emerging technologies.

The need is critical today driven by the 4G Long Term Evolution (LTE) to 5G NR migration that began in mid-2019. This migration continues to accelerate with all major U.S. wireless providers turning on standalone 5G NR networks in numerous population centers in 2020. As wireless carriers repurpose current legacy technology (2G/3G) wireless spectrum, add newly acquired spectrum through government auction and unlicensed frequencies, as well as utilize more and more 802.11 wireless protocol (Wi-Fi) access points to off load their growing subscriber bases, the USMS wireless surveillance capabilities continue to degrade.

Industry insiders predict more than 200 million standalone 5G subscribers in the U.S. by 2023 (half of all projected U.S. wireless users). That translates to a 50 percent reduction in TOG’s effectiveness to locate and apprehend fugitives utilizing these techniques. FY 2022 will be a pivotal year for upgrading and replacing electronic surveillance equipment.



Since 2017, U.S. wireless providers have added 240 MHz of 4G LTE and 5G NR wireless spectrum after the Band 48 CBRS spectrum auction in 2020. That does not include more than 700 MHz of unlicensed spectrum available to all wireless providers in the 5 GHz frequency range that is optimized for 5G NR. By the end of 2020, U.S. wireless providers will have 64 percent more licensed and an additional 208 percent more unlicensed spectrum at their disposal for their 5G NR migration. By the end of 2020, all USMS Cell Site Simulator (CSS) equipment will have effective capability in only 376 of 616 MHz of 4G LTE licensed spectrum and no 5G NR licensed or unlicensed spectrum capability. Additionally, only 14 percent of CSS equipment will have the ability to simultaneously operate against devices using a local Wi-Fi network for communication.

USMS also operates portable CSS and passive wireless collection sensors to specifically locate a fugitive's devices operating on 4G LTE, 5G NR and Wi-Fi networks in cases where vehicular or aerial platforms are ineffective or where the fugitive is believed to be located in multi-dwelling buildings. All of these devices suffer from the same 4G LTE band deficiencies as TOG's vehicular and aerial-based CSS equipment and have no 5G NR capability. Dedicated replacement funding gives the USMS full 4G LTE, 5G NR and simultaneous Wi-Fi capability to ensure the USMS' effectiveness in advanced communications technology in a society that is increasingly dependent on that technology.

The USMS requests \$20,222,000 for replacement and upgrade of ELSUR equipment. Without a sound replacement strategy, the inventory could reach block obsolescence as carriers update, modify, or convert their technology, or field new standards. In the absence of sufficient funding to keep pace with the communications environment, the USMS would forfeit its internationally recognized technical investigative expertise and suffer a corresponding degradation to the success of its investigative capabilities. The requested increase will maintain and improve electronic and technical surveillance capabilities within the USMS.

Impact on Performance

This initiative allows the USMS to reduce violent crime and improve risk mitigation by allowing personnel to more safely and effectively arrest violent fugitives and enhance community safety. The USMS uses electronic surveillance equipment in investigations to disrupt drug trafficking organizations, which curb opioid and other illicit drug use.

The USMS has captured the most violent fugitives accused of murder, rape, kidnapping, drug trafficking, and assault, among others, while maintaining law enforcement and public safety utilizing ELSUR technologies. CSS and the associated support equipment reduce the time to locate these fugitives and reduces the threat to the officers/agents pursuing them. The precision with which USMS locates fugitives enables officers/agents to plan arrest scenarios, predict dangerous pitfalls, and execute those arrests in the safest manner possible. In FY 2019, the USMS deployed CSS technology in high-profile, time sensitive investigations, more than the other DOJ law enforcement agencies combined. With CSS support, the USMS and its Federal, state, and local partners realize a 95 percent success rate in locating and arresting their fugitive.

In FY 2019, the USMS adopted 128,757 Federal and egregious state and local warrants and apprehended 107,326 fugitives. Of those, the USMS Technical Operations Group aided in the clearance of 13,513 warrants and apprehension/clearance of 9,488 Federal and egregious state and local fugitives.

According to Pew Research, 99 percent of all U.S. adults between the ages of 18-49 own a mobile communication device. State and local agencies rarely have access to CSS technologies and the ones that do are losing those capabilities as people adopt 5G NR mobile phones. These agencies will increasingly look to the USMS to support their fugitive apprehension investigations. This, coupled with fugitives becoming more transient, mobile, and dependent on wireless communications, means ever increasing requests for USMS assistance.

On an average day in 2020, the National Crime Information Center (NCIC) contained over 1,240,000 million active felony warrants at state and local jurisdictions, of which approximately 737,000 meet USMS Standard Operating Procedures (SOP) criteria of being violent in nature for

either the current charge or the original charge. Of these, over 12,800 were for homicide, over 33,000 were for kidnapping or robbery, and over 63,000 were for sexual crimes¹.

Without the requested funding, the technology gap widens between existing law enforcement ELSUR capabilities and developing next generation technologies. The lifecycle of surveillance equipment is dependent upon technological advances in cellular protocols, particularly those used in the commercial wireless broadband industry. Therefore, technological changes in the industry drive the requirement to update or replace surveillance equipment.

In its current state, the USMS will steadily lose the ability to conduct surveillances in the 4G LTE and 5G NR environments to a staggeringly low level. By the end of 2020, the USMS will have no capability in 39 percent of 4G LTE spectrum and only 1 in 7 of its vehicular surveillance platforms will be able to conduct Wi-Fi surveillances in conjunction with cellular wireless surveillances.

A similarly stark effect on USMS' 5G NR capability is losing cellular wireless surveillance effectiveness for:

- 50 million U.S. subscribers by 2021;
- More than 100 million U.S. subscribers by 2022;
- More than half of all U.S. subscribers by 2023; and
- Nearly all U.S. subscribers by 2025.

Without funding, the USMS will have effective wireless capability on less than 31 percent of all U.S. wireless communications in 2023 and declining to near zero by 2025.

¹ Data obtained from NCIC as represented in the Warrant Analysis and Response system (March 9, 2020). Note: disparity between the number of warrants in NCIC and the number of warrants issued at state and local jurisdictions can occur when state and local jurisdictions do not enter their warrants into NCIC. This can lead to a significant under-reporting of total warrants contained within NCIC.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
0	0	0	\$1,761	0	0	0	\$1,761	0	0	0	\$1,761

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A							
Total Personnel	0				\$0	\$0	\$0

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Hardware Equipment	\$12,275	\$506.175	97	\$0	\$0
Accessories	689	24.558	117	0	0
Tools	3,121	143.494	87	0	0
Software Refresh	613	25.309	97	0	0
Hardware Upgrades	3,088	127.330	97	0	0
Annual support	217	3.956	73	0	0
Vehicle Integration	219	20.000	73	0	0
Total Non-Personnel	\$20,222			\$0	\$0

4. Justification for Non-Personnel Annualizations

The replacement requirement was determined by taking the unit cost multiplied by the quantity needed and then divided by a four-year replacement cycle. For example, “Hardware Equipment” is \$506,175 per unit multiplied by 97 and then divided by 4 to get the replacement of \$12,274,744.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	0	1,761	1,761	0	0
Increases	0	0	0	0	20,222	20,222	0	0
Grand Total	0	0	0	0	21,983	21,983	0	0

6. Affected Crosscuts

Domestic Terrorism
 Mass Violence
 Violent Crime

Item Name: **Judicial Security: Protective Operations**

Budget Decision Unit: Judicial and Courthouse Security

Organizational Program: Judicial Security Division

Program Increase: Positions 185 Agt/Atty 53 FTE 93 Dollars \$33,432,000

Description of Item

The USMS requests 185 positions (53 DUSMs), and \$33,432,000 to ensure the rule of law and enhance judicial security by increasing protection capacity, enhancing threat investigations and mitigation capabilities, and improving its ability to keep pace with an ever-evolving threat landscape driven by advances in technology, mobility, and threat actor capability.

Justification

As widely reported, on July 19, 2020, an assailant went to the New Jersey home of U.S. District Judge Esther Salas and shot and killed her 20-year-old son and critically wounded her husband. The assailant had a history of racist, misogynistic internet postings, many targeting Latina judges. In the aftermath of this tragedy, and in response to increasing threats against Federal judges, the Judicial Conference of the United States, in consultation with the USMS, developed a framework to improve judicial security. This multifaceted plan included seeking legislation to enhance the protection of judges' personally identifiable information, particularly on the internet and supporting a direct appropriation to the Federal Protective Service to fund required updates of security cameras at U.S. Courthouses.

In addition, the plan included enhancements to the USMS judicial security posture. These increases include: 1) developing an organizational unit within the USMS to monitor potential and actual threats, 2) replacing and sustaining home intrusion security systems installed in judges' homes with current security capabilities and technologies, and 3) support increased district staffing.

The FY 2021 Enacted appropriation provided new resources to the USMS to begin addressing the framework to enhance judicial security. With additional funding received for Home Intrusion Detection Systems (HIDS), the USMS will be able to replace existing systems with current technology that allows for video and recording applications, in addition to mobile control and monitoring. These systems not only increase situational awareness for judges but also facilities investigatory efforts if an incident does occur. The funding will ensure the effective monitoring, timely maintenance, and on-going cyclical replacement of HIDS.

In addition, the FY 2021 Enacted appropriation provided new positions for the Office of Protective Intelligence (OPI) and the Office of Protective Operations (OPO). Within OPI, the USMS will form the Open-Source Intelligence Unit (OSINT). Open-source intelligence is derived from data and information that is available to the public but is not limited to simple

“Google” searches. This expansion will increase the level of protective investigation services in several ways:

- Increased and proactive online content review and research will identify threats and situations of concern that may be currently undetected. This increased detection will allow the USMS to quickly assess, investigate, and mitigate potential threats against protected persons.
- OSINT support to ongoing protective investigations and aggressive prosecution of internet threats will discourage online threats directed at judicial officials, an activity that is currently seen as without consequences.
- Reviewing public discussion, social media and media exposure associated with judges and judicial events will improve the USMS’ ability to assign the right level of resources to trials and other proceedings, potentially saving resource costs and better aligning resources to true needs.

The following budget request is a continuation of the framework to improve judicial security. Given the surge of threat actor populations, it is more imperative than ever that the USMS adopt to this new landscape and build the capability and capacity to address ever-increasing complex and inter-related threats. Stakeholders expect the USMS to rapidly respond to, investigate, and distinguish between nuisance activity and threat. In such, the USMS must begin to advance its capability to meet current and future challenges.

FY 2022 Budget Request

The primary mission of the USMS is to protect, defend, and enforce the American justice system by securing Federal court facilities and ensuring the safety of judges and other court personnel. By statute, the USMS is the principal security support force in the Federal judicial system. All USMS personnel support the security of the judiciary and the judicial process.

Ensuring that the judicial process operates independently and free from harm or intimidation is paramount to the rule of law. The integrity of the judicial process is predicated on the safe and secure conduct of judicial proceedings and the protection of judges, jurors, and witnesses. Judicial security is a comprehensive effort accomplished by anticipating and deterring threats to the judiciary, and continuously developing and employing innovative protective tactics.

The USMS protects the judiciary through a multi-tiered process, which includes securing courthouse facilities, deploying residential security systems for judicial members, analyzing explicit threats and inappropriate communications against the judiciary to determine the level of danger, and providing judicial members close personal protection when the threat level dictates.

Table 1. Inappropriate Communications as Percentage of Threats

Fiscal Year	SI ¹	PA ²	PPI ³	Total Threats	IC	IC % of Total	% Change in ICs
2016	1,028	945	384	2,357	382	16.21%	
2017	1,029	1,455	363	2,847	364	12.79%	-4.71%
2018	1,756	2,255	531	4,542	535	11.78%	46.98%
2019	3,595	481	373	4,449	1,118	25.13%	108.97%
2020	3,213	693	355	4,261	1,145	26.87%	2.42%
Average	2,124	1,166	401	3,691	709	19.20%	30.73%

Notes:

Security Incidents (SI): Potential Threats that require a law enforcement response and may require further investigative steps; examples include disruptive persons, contraband, assaults, and bomb threats.

Protective Assessments (PA): Investigation activity without a triggering event.

Predicated Protective Investigations (PPI): Investigation activity with a triggering event indicating a crime has or may take place.

Over the last five years, as shown on Table 1, the USMS has seen inappropriate communications increase by an average of over 30 percent per year. This percentage will likely continue to surge as grievances, spawned by techno-cultural convergence and often exacerbated by mental illness, fixate on USMS protected persons. Threat actor populations could grow exponentially and will undoubtedly burden its already overextended Protective Enterprise in the years to come.

Table 2. Threats to Protected Persons Investigated by USMS

Fiscal Year	Threats	% Change in Threats
2016	2,357	
2017	2,847	20.79%
2018	4,542	59.54%
2019	4,449	-2.05%
2020	4,261	-4.23%
Average	3,691	14.81%

As threats continue to grow, it is more imperative than ever that the USMS adapt to this new landscape and build capability and capacity to address ever-increasing complex and inter-related threats against USMS protected persons. In such a landscape, the prioritization and acceleration of investigations and protective response will be paramount to the USMS success.

District Judicial Security Staffing: 181 positions (50 DUSMs) and \$25,424,000

The USMS requests 181 positions (50 DUSMs) and \$26,424,000 to support protective operations. Too often, variables outside of the USMS drive the need to respond quickly and efficiently to threats and risks that target the Federal judicial process and judicial family. This request will strengthen the USMS' ability to be prepared—supporting a “lean forward” attitude that optimizes the USMS' overarching responsibility to protect the American justice system.

District Operational Support – 131 positions and \$12,660,000: The request provides 85 new Physical Security Specialists (PSSs) and 46 new Management and Program Analysts (MPAs) to expand program capability with a cost-effective approach: their management of facility security programs, security projects, and operational support adds capacity and allows JSIs to focus on operational duties that require direct involvement of a sworn law enforcement officer, while improving control over physical security and program administration.

Judicial Security Inspector – 50 positions (50 DUSMs) and \$12,764,000: The request supports 50 additional DUSMs to be assigned as dedicated JSIs at the district level. The JSI is responsible for maintaining the defensive posture for judicial security within the district. The JSI coordinates, implements, and manages a district's development, administration, and oversight of the entire judicial security mission. JSIs create operational security plans, conduct residential security surveys, prepare personal security recommendations for the judiciary and court family members, develop and conduct court security training for the court family, and provide court security technical assistance and operations guidance. The USMS estimates that 90 of 94 districts require at least two JSI positions, with some districts requiring up to 10 positions, to adequately support the judicial security mission and JSI workload.

Additional JSI positions, coupled with the MPAs and PSSs, are necessary to fully execute the judicial security mission, strengthen the nationwide judicial security posture, and increase the security provided to the Federal judiciary.

Field Operations Support: 0 positions and \$3,290,000

Protective Operations Mobile Command Post (MCP) – 0 positions and \$400,000: The request supports two new Mobile Command Post vehicles. Protecting the judiciary often requires deployment of temporary Protective Service Details (PSDs) to provide 24/7 protectee coverage. For continuous protective coverage, DUSMs and security measures are deployed to the residence and place of employment. Ideally, PSD DUSMs staff command posts (CPs) with the means to receive/send information, communications, and/or questions from security posts. CPs maintain specialized communications and monitoring equipment, reserve special protective equipment, spare keys, site surveys, intelligence information, and medical equipment. Currently, the USMS has no purpose-built CPs designed for the protective mission space; CPs at a residence generally consist of PSD agents in their regular government vehicles, a suboptimal solution for officer safety and CP functionality.

Protective Operations Light Armored Vehicles (LAV) and Ballistic Door Panels – 0 positions and \$1,485,000: The request supports purchase and replacement of five LAVs using the Chevrolet Suburban platform for protective operations. The USMS does not currently have base funding for replacement of its armored vehicles. These LAVs are utilized when the protective posture level dictates a need, based on protocol and standard operating procedures. They are also shared with partner agencies such as the USCP, the FBI, and possibly the U.S. Supreme Court Police as it builds out its Dignitary Protection Unit.

LAVs are crucial protection-based assets with a limited operational life cycle. The USMS, in consultation with the U.S. Department of State, recommends the LAVs be outfitted utilizing the State Department's Level "C" armor package with a five-year replacement cycle. Properly refreshed LAVs are safer, operate more efficiently, and incur less cost during their operational lifecycle. As these vehicles age, issues such as degradation of Kevlar, delamination of ballistic glass, and mechanical concerns related to environmental conditions and extreme weight compromise the ability to provide a secure environment and create operational risks to USMS personnel and protectees.

The request also supports purchase of ballistic door panel inserts for approximately ninety standard government vehicles assigned primarily to protective operations. These inserts are an innovative solution to optimize safety and protection by deploying more secure motorcade/transport/follow vehicles.

Deployment of PSDs for risk- and threat-based missions includes protocols for motorcade transportation based on military and Federal law enforcement protective mission standards. Due to the limited number of LAVs, routine transportation of USMS protectees in non-armored vehicles during motorcade operations poses a significant vulnerability that diminishes protective measures to repel an attack. Ballistic panels, with a five-year shelf life, are a considerably lighter weight than Kevlar; they are not visible and are custom fit to provide an added layer of protection during a targeted attack.

Security Special Assignment Funding – 0 positions and \$1,000,000: Proper staffing of threat-based protective details and risk-based judicial security events currently requires the use of out-of-district personnel. The request includes additional funding for travel, overtime, and other costs associated with judicial security special assignments to maintain appropriate personnel support for extraordinary judicial security events, CSSD missions, and ongoing risk-based protection of Supreme Court Justices.

Special Assignment funding directly impacts the USMS' primary mission to provide an optimal security posture for the Federal Courts in furtherance of safeguarding the judicial process. The increase will assist in addressing shortages of both personnel and funding to meet mission requirements. Additionally, other program areas would benefit indirectly as districts would be able maintain operations for fugitive apprehension, asset forfeiture, prisoner detention and transportation, witness security, and tactical response while still committing adequate operational resources for high threat/risk judicial security events.

Circuit/District Threat Investigation Support – 0 positions and \$405,000: The request provides additional support for district investigations, data analysis, and on-site training of district threat investigators. These functions are imperative for safe, secure, and effective district protective intelligence and investigative operations.

Counter-Surveillance / Surveillance Detection Program: 0 positions and \$936,000

Counter-Surveillance/Surveillance Detection (CSSD) Program – 0 positions and \$664,000: The USMS requests \$664,000 for operational costs of the CSSD program. DOJ Bureau of Justice Statistics and National Intelligence Council trend assessments indicate the volume, intensity, and sophistication level of criminal and threat actor activity will increase exponentially over the next five to 10 years. A review of threat cases has shown an increase in sophistication and ability of potential threat actors increasing the need for CSSD support during that same period. In FY 2019, CSSD conducted 12 missions with an average cost of \$45,833 per mission. The USMS is planning to increase collateral duty DUSM personnel for CSSD increasing both the unit's effectiveness and ability to deploy. CSSD anticipates conducting at minimum of eight missions each year for the next three years. These funds include the costs for travel, OT and guard backfill. While every mission will have different cost variables (number of team members, duration, location, mode of travel, Team member home duty location, etc.), every effort was made to accurately estimate projected mission costs.

CSSD Equipment and Maintenance – 0 positions and \$51,000: The USMS requests \$51,000 for the procurement of CSSD technical equipment. CSSD requires a variety of sophisticated technology and equipment for mobile and fixed-point surveillance operations in dense urban environment as well as rural remote areas. This request includes \$20,000 for the Intrepid Equipment Contract to maintain purchased equipment to ensure mission effectiveness and \$31,000 for new technical equipment allowing for mobile and fixed-point surveillance options.

CSSD and Behavioral Analysis Unit (BAU) Joint Initiatives – 0 positions and \$221,000: Trend assessments from the National Intelligence Council and the Department's Bureau of Justice Statistics indicate the volume, intensity, and sophistication of criminal and threat actor activity will increase over the next 10 years. This translates to a greater need for specialized CSSD support. The request supports operational funding of travel, overtime, and backfill costs for collateral duty DUSM personnel assigned to CSSD duties, increasing both the unit's effectiveness and ability to deploy.

The request supports joint initiative funding for CSSD and BAU developmental activities to obtain and sustain specialized mission essential technical skills currently not available and absent in current traditional skill development. BAU and CSSD are comprised of Inspectors, analysts, and managers who must possess specialized technical knowledge, skills, and abilities needed to accomplish complex protective intelligence missions.

The USMS BAU will work closely with the FBI BAU to become familiar with their training and methods. CSSD has established relationships with other CSSD units throughout the Federal

government to develop mission essential skills; CSSD will collaborate with these units and attend exercises, seminars and exchange programs to maintain subject matter expertise. CSSD requires a variety of sophisticated technology and equipment for mobile and fixed-point surveillance operations in dense urban environment as well as rural remote areas. Funding supports new equipment to provide mobile and fixed-point surveillance options, as well as maintenance of current inventory.

Judicial Security Training: 4 positions (3 DUSMs) and \$2,153,000

Effective protective operations and intelligence are the product of well-trained personnel. The FY 2022 provides additional resources to develop a comprehensive training portfolio, building on the FY 2021 addition of support for new CSSD training by developing training capability that supports three key aspects of the judicial training mission.

Protective Operations Training Requirements – 4 positions (3 DUSMs) and \$863,000: The request includes three Criminal Investigators and one MPA for the USMS National Center for Judicial Security (NCJS) to provide critical support and coordination to internal stakeholders, the Department, and domestic and international partners for training and judicial security assistance.

The NCJS is charged with providing subject matter expertise, training, and development to enhance capability related to court security, the protection of the judicial family, and securing the rule of law. The NCJS is responsible for all judicial security training requirements in the USMS, including but not limited to advanced training for DUSMs in protective services, protective investigations, and judicial security. In addition, NCJS provides annual training for 5,300 Court Security Officers (CSO) and responds to requests from DOJ and state/local partners to coordinate court security assessments and assist with the creation of new court security programs.

To accomplish its mission, the NCJS will initiate programs and activities directly related to training, development of standards, information sharing, reviewing technology, providing security assessments, identifying best practices, and offering assistance to Federal, State, local, and international agencies and organizations responsible for the judicial security and court security missions in their respective jurisdictions.

In FY 2019, the NCJS was responsible for coordinating CSO Phase II classes, one Protective Services Training Program (PSTP) class, and one JSI Basic class, which equates to training over 800 people. In addition, NCJS supported DOJ's capacity building efforts by conducting assessments and training for 16 countries. At current staffing levels, this operational tempo is unsustainable. The addition of these four positions is critical for NCJS to successfully keep pace with the growing demands and requirements.

District Protective Services Training Program (PSTP) – 0 positions and \$650,000: PSTP is an intensive 64-hour training course for 24 students per iteration. The PSTP requires heavy instructor contribution for an optimal training experience that best promotes officer safety and operational readiness.

Currently, USMS districts provide coverage for the initial 72-hour period of newly-designated threat-based protection details. Because DUSMs only receive 16 hours of protective services instruction during their Basic DUSM training, district managers often do not have established subject matter experts who are familiar with the principles and protocols required to plan, manage, and execute a protective detail mission. This gap in knowledge, skills, and ability creates overall risk for the agency and compromises officer safety considerations.

To maximize the crucial mission-specific training that PSTP imparts on division and district operational personnel, the USMS has developed a scaled-back District PSTP curriculum over three or four days. The request supports ten iterations annually that will deliver critical protective services training to over 100 district personnel.

Vulnerability Assessment Training Program (VATP) – 0 positions and \$640,000: USMS personnel regularly examine facilities, residences, and routes to mitigate potential vulnerabilities. The NCJS regularly receives requests to perform foreign judicial-related vulnerability assessments, and districts routinely receive requests to conduct assessments on State and local judicial facilities.

Facing an insufficient number of trained and experienced personnel to conduct these assessments, the USMS created a unified vulnerability assessment training program that standardizes assessment performance in alignment with USMS policy and procedure and consistent with Interagency Security Committee and industry standards. This critical training will bolster USMS efforts to minimize risk to the Federal judiciary and maximize effective completion of security projects by developing a specialized, mobile cadre of physical security vulnerability subject matter experts at USMS facilities who can also support domestic and international law enforcement partners.

Judicial Security Contract Support: 0 positions and \$1,629,000

Office of Protective Intelligence Contractor Support – 0 positions and \$1,006,000: OPI contractors produce protective intelligence by providing investigative research support and subject matter expertise to district personnel charged with identifying, investigating, assessing, and mitigating threats. Additional contractor personnel are needed to meet mission demand.

Facility Security Contractor Support – 0 positions and \$623,000: The request supports the Office of Security Systems (OSS) recruitment and retention of contractor support with requisite technical skills for project initiation and planning of new installations prior to project execution. OSS contractors provide technical acumen and subject matter expertise to:

- Perform or assist with technical surveys to develop system specifications.
- Conduct evaluation of security designs.
- Prepare as-built drawings.
- Increase screening and perimeter oversight.

- Ensure vehicle barriers, X-ray machines, forced entry ballistic resistant doors, walk-through metal detectors, vehicle arrest systems, explosive detection equipment, and other technical security systems are fully operational.
- Perform technical security system verification-of-operation tests.

Table 3. Facility Security Projects

Fiscal Year	Security Projects	Cost of Security Projects
2018	528	\$51.5 million
2019	462	\$55.0 million
2020	252	\$45.6 million

Impact on Performance

This initiative allows the USMS to protect the judicial process more effectively. Enhancing judicial security will ensure the rule of law and provide safety and security for judicial officials, courtroom participants, USMS personnel and the public. With increasing threats, the prioritization and acceleration of protective intelligence investigations and protective responses is paramount to the USMS’ success. With the requested funding increase, the USMS anticipates a strong framework that will allow the USMS to successfully fulfill its protective responsibilities for approximately 2,700 Federal judges and approximately 30,300 Federal prosecutors and court officials, along with members of the public who visit and work in Federal courthouses.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
333	321	333	\$99,745	364	329	349	\$112,741	364	329	364	\$114,939

* FY 2022 Current Services includes FY 2021 2nd year annualizations of new positions.

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Physical Security Specialist (0080)	85	\$96.647	\$142.207	\$202.375	\$8,215	\$3,873	\$5,114
Clerical and Office Services (0300-0399)	47	\$96.647	\$142.207	\$202.375	\$4,542	\$2,141	\$2,828
Criminal Investigative (1811)	53	\$255.281	\$229.665	\$336.303	\$13,530	-\$1,358	\$5,652
Total Personnel	185				\$26,287	\$4,656	\$13,594

* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50% lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.

2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.

3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
OPO/Field MCP Vehicles	\$400	\$200	2	-\$320	\$0
OPO/Field LAVs	\$1,125	\$225	5	-\$900	\$0
OPO/Field Ballistic Door Panels	\$360	\$4	90	-\$288	\$0
OPO/Field Special Assignment Base Increase	\$1,000			\$0	\$0
Circuit/District Threat Investigation Support	\$405			\$0	\$0
CSSD Program	\$664			\$0	\$0
CSSD Intrepid Equipment Contract	\$20			\$0	\$0
CSSD New Technical Surveillance Equipment	\$31			-\$25	\$0
BAU Travel	\$52			\$0	\$0
CSSD Travel	\$169			\$0	\$0
OPO/Field District Protective Services Training	\$650			\$0	\$0
NCJS Vulnerability Assessment Training	\$640	\$160	4	\$0	\$0
OPI Contractor Support	\$1,006			\$50	\$0
OSS Contractor Support	\$623			\$31	\$0
Total Non-Personnel	\$7,145			-\$1,452	\$0

4. Justification for Non-Personnel Annualizations

The USMS requests \$400,000 to fund the purchase, outfitting and replacement of two MCP vehicles at \$200,000 per vehicle. Assuming a five-year replacement cycle per vehicle, annualized recurring costs are \$40,000 per vehicle, for a total of \$80,000 per year.

The USMS requests \$1,125,000 to fund the purchase, outfitting and five-year replacement of five Light Armored Vehicles (LAVs) that are utilized for protective operations at \$225,000 per vehicle. Anticipating a five-year replacement cycle per vehicle, annualized recurring costs are \$45,000 per vehicle, for a total of \$225,000 per year.

The USMS requests \$360,000 to fund the purchase and replacement of ballistic door panel inserts at approximately \$4,000 per vehicle for 90 standard government vehicles assigned primarily to protective operations. Panels have a five-year refresh cycle and recur at \$800 per vehicle, or \$72,000 for 90 vehicles.

The USMS requests a base adjustment increase of \$1,000,000 for judicial security special assignments to staff and properly secure threat-based protective details and risk-based judicial security events without the use of out-of-district personnel (i.e. travel, overtime, and district security officer [guard] hourly wages). This amount fully recurs.

The USMS requests \$405,000 to assist district investigations as needed, as well as support circuit team and data analysts' engagement visits for on-site training and development of District Threat Investigators. This amount fully recurs.

The USMS requests \$664,000 for operational costs for CSSD Operations. This amount fully recurs.

The USMS requests \$221,000 to fund the BAU and CSSD developmental activities. This amount fully recurs.

The USMS requests \$650,000 to support the planning and execution of quarterly Protective Services Training Programs and District Protective Services Training Courses, ensuring officer safety and operational readiness. This amount fully recurs.

The USMS requests \$640,000 to support the planning and execution of quarterly Vulnerability Assessments Training Programs at approximately \$160,000 per training seminar ($\$160,000 * 4 = 640,000$). This amount fully recurs.

The USMS requests \$1,006,000 to fund critical Contractor Support for OPI. This amount fully recurs. A five percent increase is included in FY 2023, at \$50,000.

The USMS requests \$20,000 for the Intrepid Equipment Contract to maintain purchased equipment to ensure mission effectiveness.

The USMS requests \$623,000 for Contractor Support that can support the program office chief in the administration (communications, planning, organizing, compliance) of the OPO. This amount fully recurs. A 5 percent increase is included in FY 2023, at \$31,000.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	364	329	364	\$98,659	\$16,280	\$114,939	-\$607	\$0
Increases	185	53	93	\$26,287	\$7,145	\$33,432	\$3,204	\$13,594
Grand Total	549	382	457	\$124,946	\$23,425	\$148,371	\$2,597	\$13,594

6. Affected Crosscuts

Counter-Terrorism
Domestic Terrorism
Intelligence & Info Sharing
National Security Operations

Item Name: **Tactical Operations: Special Operations Group**
Budget Decision Unit: Tactical Operations
Organizational Program: Tactical Operations Division
Program Increase: Positions 20 Agt/Atty 18 FTE 10 Dollars \$12,239,000

Description of Item

To support the Department’s strategies to combat violent crime and domestic terrorism, the USMS requests 20 positions (18 DUSMs), 10 FTE, and \$12,239,000 to partially transition the Special Operations Group (SOG) from collateral duty to full-time status.

Justification

Special Operations Group (SOG) – 20 positions (18 DUSMs) and \$12,239,000

The USMS requests 20 positions (18 DUSMs), 10 FTE, and \$12,239,000 to battle violent crime and respond to domestic terrorism by expanding SOG. This expansion would establish one regional team co-aligned with a Regional Fugitive Task Force (RFTF) to mitigate risks, improve officer safety and enable quicker response times.

SOG is a flexible, modernized unit with a diverse skillset that conducts specialty Federal law enforcement operations in any environment both within and outside the United States. SOG’s specialty operations span the range of Federal law enforcement missions such as supporting the apprehension of violent offenders, terrorist trials, high-threat prisoner movements, witness security operations, national emergencies, civil disorders, protection of at-risk health facilities and staff, large scale seizures, actions against anti-government and militia groups, international stability and reconstruction efforts and other missions as ordered by the Attorney General. SOG support occurs when a situation is beyond the capability of USMS districts or divisions.

SOG has a long history in the fight against domestic terrorism. The current headquarters of SOG is named after SOG Task Force Commander William Degan who was killed in the line of duty while attempting to serve an arrest warrant for a fugitive with anti-government beliefs. In 1995 through 1996, SOG served a key role in enhancing the security of the Federal trial of both Timothy McVeigh and Terry Nichols for their roles in the Oklahoma City bombing. SOG continues to fight domestic terrorism in the 21st Century.

SOG has regularly been asked to perform missions related to the enforcement of Federal court orders when the threats exceed the capabilities of the District offices. This has been particularly true in the case of the sovereign citizen movement.² The sovereign citizens ideology has roots in

² The Southern Poverty Law Center estimates there are nearly 300,000 sovereign citizens in the United States, but precise figures are elusive because they typically operate as individuals without established leadership.

the far-right, racist, anti-Semitic Posse Comitatus movement. They reject Federal, state, and municipal law for their own unconventional interpretation of common law.

In the case of U.S. v. Edward and Elaine Brown, the Internal Revenue Service sought and obtained a court order for the seizure of property for the failure to pay income tax. Ed Brown is a very outspoken sovereign citizen who recruited others to help him defend his home from governmental authorities. This support included the presence of Randy Weaver, the original fugitive sought at Ruby Ridge which resulted in the death of William Degan. In 2007, SOG was directed to conduct the seizure and serve arrest warrants for Ed and Elaine Brown. The remote location and size of the property required significant law enforcement resources. In the end, SOG participated in an undercover operation which resulted in the safe arrest of the two fugitives and seizure of the property. During a search of the residence, a cache of improvised explosive devices was found which was later deemed by the Bureau of Alcohol, Tobacco, Firearms and Explosives as the largest ever found in the United States.



Left: The Brown compound SOG assisted infiltrating, seizing, and serving Federal Warrants.
Right: A SOG Deputy U.S. Marshal securing fugitive Ed Brown.

SOG continues to provide critical specialized support in the fight against domestic terrorism. In 2016, Eric Frein shot two Pennsylvania State Police Troopers with a rifle, killing one of them. Frein then fled into the woods of the Pocono Mountains of Pennsylvania. Frein hoped that the shooting would spark a revolution against the government. SOG responded and assisted in the forty-eight-day massive multi agency manhunt. In the end, Frein, pictured to the right, was safely apprehended by a USMS SOG team and turned over to Pennsylvania State Police to face charges in the shooting. He was later convicted in state court.



Eric Frein was apprehended by State and Federal law enforcement with SOG assistance in 2016.

In 2019, SOG led the manhunt for escaped white supremacist Blane Barksdale. Barksdale and his wife were pending trial for arson and homicide in Tucson, AZ when they escaped from a prison van in Utah. Barksdale was a member of both the Aryan Brotherhood, a white supremacist prison gang and the Hells Angels motorcycle gang; intelligence indicated that the gangs were assisting the couple. SOG, working in conjunction with other USMS resources, located and arrested the couple in northeastern Arizona.

In addition to its role in addressing domestic terrorism, SOG provides specialized support for daily USMS operations across the various mission areas. SOG provides tactical resources for the movement of high-threat, high-profile prisoners to and from court proceedings, and a quick reaction force during high-threat trials and high-risk motorcades. SOG supports all terrorism-related trials.

Currently, the full-time SOG members mobilize part-time SOG personnel from throughout the United States and respond to requests for support from one of two locations: the SOG Training Center in Pineville, LA and Springfield, VA. This creates delay and limitations on responding to rapidly evolving law enforcement situations. These situations include fugitive operations and national crises, including the attack on the Capitol on January 6, 2021. Enhancing the number of full-time SOG members in the National Capital Region will provide for effective support of the Capital Area Regional Fugitive Task Force and will make SOG a more viable risk mitigation tool for the USMS and the DOJ.

The request and broad authority of the USMS will create a more rapidly deployable and efficient tactical resource to be used as DOJ's "Incident/Emergency Response" unit. The primary goal is to have a full-time unit capable of responding quickly to any mission assigned in the National Capitol Region. To achieve this goal, the staffing plan calls for the addition of 18 full-time SOG members to augment the current seven SOG investigators located in the National Capital Region. The combined personnel will include a supervisory team leader, two assistant team leaders, SOG tactical subject matter experts, as well as planning and intelligence functions. These operational personnel will be supported by administrative personnel (both full time employees and contract personnel) who will further intelligence capabilities as well as planning, finance, logistics and mobility.



SOG members providing tactical support during civil unrest.

The potential benefits of co-locating a SOG team with an RFTF are significant. In addition to addressing domestic terrorism, SOG will enhance RFTF operations by providing additional highly-trained personnel who are able to arrest the most violent fugitives and enhance community well-being safely and effectively. Currently, SOG is under-utilized across the nation due to the time delays in mobilizing the unit for specific law enforcement action. Transitioning SOG into a full-time unit will reduce response time dramatically, make SOG much more accessible to the districts and divisions, and reduce the burden on other district operations.

Impact on Performance

This initiative allows the USMS to reduce violent crime and improve risk mitigation by allowing personnel to arrest violent fugitives and enhance community safety more effectively and safely. The USMS has evolved from a “quantity over quality” to a “quality over quantity” approach when arresting violent offenders. This allows the USMS to fight violent crime more effectively through the apprehension of violent fugitives, prioritizing the most egregious violent one, and aligns the USMS with the Attorney General’s Priorities of combating violent crime, promoting safe communities, and upholding the rights of victims of crime. With the requested funding increase, the USMS anticipates an increased ability to capture the most dangerous fugitives and continue to reduce violent crime within our communities.

The current mechanism for deployment of SOG members creates a burden on districts. Deployed SOG members result in manpower shortages, which in turn negatively impact district operations. Under this proposal, SOG members will become assets rather than burdens on individual district USMS operations. When not on SOG missions or in training, SOG members will work with districts and divisions to conduct basic tactical training, and provide firearms, less lethal and defensive tactics training. SOG personnel will also be trained as active shooter response instructors and assist districts with creating an active shooter response plan and provide local training tailored to each courthouse. Additionally, SOG will consult, train, and assist districts with tactical assessments, high-threat trial preparations, high-risk motorcade operations, and fugitive investigations.

Insufficient numbers of trained tactical officers negatively impact the USMS efforts to prevent terrorism, address domestic terrorism, combat violent crime, remove weapons from the streets, protect the judicial process, and ensure the fair, impartial, efficient, and transparent administration of justice. By providing SOG the ability to work effectively with all operational entities in the USMS, this cross-cutting proposal contributes to the accomplishment of USMS core missions in all operational divisions and districts. This request will enhance the USMS’ tactical strategy while improving officer safety and the efficiency of its high-threat/high-risk operations.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
21	18	21	\$7,723	21	18	21	\$7,940	21	18	21	\$8,024

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Clerical and Office Services (0300-0399)	2	\$96.647	\$142.207	\$202.375	\$193	\$91	\$120
Criminal Investigative (1811)	18	\$255.281	\$229.665	\$336.303	\$4,595	-\$461	\$1,920
Total Personnel	20				\$4,788	-\$370	\$2,040

* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50% lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.
 2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.
 3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Contractor Support	\$150	\$150.000	1	\$8	\$0
Covert Armored Vehicles	\$500	\$250.000	2	-\$400	\$0
Bearcat Tactical Vehicles	\$650	\$325.000	2	-\$520	\$0
New Operator Kit	\$2,221	\$123.381	18	-\$1,777	\$0
Tactical Equipment	\$1,045	\$1,044.923	1	-\$836	\$0
Weapons	\$904	\$50.215	18	-\$723	\$0
Communications Equipment (Individual)	\$325	\$18.030	18	-\$260	\$0
Team Communications (Tactical Repeater)	\$19	\$19.000	1	-\$15	\$0
Information Technology	\$387	\$387.000	1	-\$310	\$0
Training	\$750	\$750.000	1	\$0	\$0
SOG Facility Operations and Maintenance	\$500	\$500.000	1	\$0	\$0
Total Non-Personnel	\$7,451			-\$4,833	\$0

4. Justification for Non-Personnel Annualizations

The USMS requests \$150,000 for SOG contractor support. The USMS anticipates hiring one contractor at approximately \$150,000 per contractor. This amount is expected to fully recur and in FY 2023 a five percent increase of \$8,000 is included.

The USMS requests \$500,000 for SOG armored vehicles. Two vehicles are requested, at \$250,000 per vehicle. Assuming a five-year replacement cycle, \$50,000 recurs annually per vehicle for a total of \$100,000. \$400,000 will be non-recurred in FY 2023.

The USMS requests \$650,000 for SOG Bearcat tactical vehicles. Two vehicles are requested, at \$325,000 per vehicle. Assuming a five-year replacement cycle, \$65,000 recurs annually per vehicle for a total of \$130,000. \$520,000 will be non-recurred in FY 2023.

The USMS requests \$2,221,000 for SOG new operator kits. Eighteen kits are requested per team, one per team member, at \$123,381 per kit. The total request for FY 2022 is \$2,221,000.

The USMS requests \$1,045,000 for one SOG tactical equipment kit.

The USMS requests \$904,000 for SOG weapons. Eighteen weapons sets are requested per team, one per team member, at \$50,215 per set. The total request for FY 2022 is \$904,000.

The USMS requests \$344,000 for SOG communications equipment. Eighteen individual communications and networking sets are requested per team, one per team member, at \$18,030 per set. The FY 2022 requirement for individual equipment sets is \$325,000. One tactical repeater will be purchased per team at a cost of \$19,000.

The USMS requests \$387,000 for SOG information technology (IT) equipment per team.

The USMS requests \$750,000 for SOG training. This amount fully recurs.

The USMS requests \$500,000 for SOG facility operations and maintenance. This amount fully recurs.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	21	18	21	\$5,761	\$2,263	\$8,024	\$0	\$0
Increases	20	18	10	\$4,788	\$7,451	\$12,239	-\$5,203	\$2,040
Grand Total	41	36	31	\$10,549	\$9,714	\$20,263	-\$5,203	\$2,039

6. Affected Crosscuts

Domestic Terrorism, Mass Violence, and National Security Operations

Item Name: **Missing Child Investigations: JVTA Support**
Budget Decision Unit: Fugitive Apprehension
Organizational Program: Investigative Operations Division
Program Increase: Positions 16 Agt/Atty 11 FTE 8 Dollars \$3,291,000

Description of Item

The USMS requests 16 positions (11 DUSMs) and \$3,291,000 to target violent crime by enhancing the investigative mission through the Justice for Victims of Trafficking Act (JVTA).

Justification

Justice for Victims of Trafficking Act (JVTA) – 16 positions (11 DUSMs) and \$3,291,000

The Justice for Victims of Trafficking Act (JVTA) was signed into law on May 29, 2015, as P.L. 114-22. Section 605 of this law enabled the USMS to “assist State, local, and other Federal law enforcement agencies, upon the request of such an agency, in locating and recovering missing children.” Prior to this legislation, the USMS required a warrant for the suspected abductor/companion or a nexus to a non-compliant sex offender³ in order to support missing child cases. The JVTA provides USMS the authority to respond when law enforcement seeks USMS assistance with the recovery of missing, endangered, or abducted children. The USMS collaborates closely with the NCMEC⁴ in this new mission area.

In 2016, the USMS created the Missing Child Unit (MCU) to lead the implementation of its newly enhanced authority under JVTA. Currently, the USMS has allocated two positions to provide oversight, policy, training, outreach, and resources towards the USMS missing child mission. The USMS investigators with the skills and resources to effectively support missing child cases are investigators assigned to fugitive investigations and Adam Walsh Act enforcement. Providing support for missing child cases, however, often requires suspending these other ongoing violent crime initiatives to redistribute personnel resources.

Due to the congressionally mandated authority of Adam Walsh Act investigations and the importance of the fugitive mission, adding full-time missing child investigative positions is essential to ensure USMS support for missing child cases does not occur at the expense of other

³ The Adam Walsh Child Protection and Safety Act (AWA) was signed into law on July 27, 2006. The USMS was designated as the lead Federal agency to investigate violations of the AWA and given the mandate to assist state, local, tribal, and territorial jurisdictions in locating and apprehending non-compliant sex offenders.

⁴ The National Center for Missing and Exploited Children opened in 1984 to serve as the nation’s clearinghouse on issues related to missing and sexually exploited children. It is the leading non-profit organization in the U.S. that assists law enforcement and families to find missing children, reduce child sexual exploitation, and prevent child victimization.

agency missions requiring prioritization. To ensure full implementation of the JVTA authority, the USMS requests additional personnel and funding dedicated to this function.

Despite receiving no additional resources associated with the authority granted pursuant to the JVTA, the USMS has been very successful in recovering critically missing children. From 2016 to 2020, the number of missing children recovered by the USMS has increased annually by an average of 23 percent. The USMS received 583 missing child cases in FY 2020, a 57 percent increase over cases received in FY 2019. Since 2015, the USMS has contributed to the recovery of a missing child in 75 percent of cases received and of those, 66 percent were recovered within seven days of the USMS assisting with the case.

USMS Missing Child Recoveries

Fiscal Year	Children Recovered
2016	173
2017	192
2018	253
2019	292
2020	387

The USMS also engages in national enforcement operations targeting the recovery of missing children.

- In August 2020, the USMS Southeast Regional Fugitive Task Force led *Operation Not Forgotten* in Atlanta and Macon, Georgia. The operation successfully recovered 26 children, located 13 children, arrested nine associates, and cleared 26 warrants. Additionally, 6 firearms, 8.7 grams of cocaine, and 386.8 grams of marijuana were seized. Fifteen of the children recovered were suspected child sex trafficking victims.
- In August 2020, USMS personnel from the Northern District of Ohio, with the assistance of the NCMEC and the Cuyahoga County, Ohio Fusion Center, recovered 24 children, located 11 children, and executed two arrests as part of *Operation Safety Net*. This operation focused on children who were reported missing in Cuyahoga County and the Greater Cleveland area, as well as children who were in the custody of Cuyahoga County, but were missing from placements outside of the county. Seven of the children recovered were confirmed victims of sex trafficking.
- In October 2020, the USMS in the Southern District of Ohio and Southern District of West Virginia, in conjunction with the Ohio Attorney General’s Office and the Central Ohio Human Trafficking Task Force participated in *Operation Autumn Hope*. Operation Autumn Hope was a multi-agency enforcement operation focused on human trafficking and the location and recovery of missing and exploited children. During the operation,

the USMS recovered 45 missing children and the Central Ohio Human Trafficking Task Force made 179 arrests.

- In January and February 2021, the USMS teamed with the Tennessee Bureau of Investigation Missing Child Recovery Unit, Tennessee Department of Children Services, local law enforcement agencies, and NCMEC to conduct *Operation Volunteer Strong*, which resulted in the recovery of 149 children.

In 2020, the FBI National Crime Information Center (NCIC) reflected 365,348 entries for missing children. In 2020, NCMEC assisted law enforcement and families with more than 29,800 or approximately eight percent of missing child cases. Missing child case types break down as follows:

- 91% – Endangered runaways (332,466)
- 5% – Family abductions
- 1% – Lost, injured, or otherwise missing
- Less than 1% – Stranger (non-family) abduction

Research reflects at least one out of six runaways are victims of child sex trafficking.

From the FY 2016 passage of JVTA through FY 2020, the USMS has experienced a 182 percent increase in the number of requests for assistance in missing child cases from law enforcement partners and NCMEC. This growth is attributed to partnerships the USMS has fostered with NCMEC, the logical connection between USMS fugitive and non-compliant sex offender missions, and the application of associated skills and resources to rapidly recover missing children and arrest those who victimize them. The USMS continuously increases exposure of the missing child program through participation at national conferences and on working groups and task forces. For example, the MCU attends and presents at national conferences such as the Crimes Against Children Conference, the National Law Enforcement Training on Child Exploitation, and the International Association of Human Trafficking Investigators Training.

The USMS has established a strong working relationship and partnership with both the FBI and Homeland Security Investigations (HSI) on the missing child mission. The FBI focuses its resources on kidnappings, stranger abductions, human trafficking, and child sexual exploitation. HSI focuses on human trafficking and child sexual exploitation, particularly related to cybercrime. The USMS complements these missions by focusing on the physical recovery of critically missing children, and not the substantive criminal investigations. Additionally, the USMS focuses on the recovery of critically endangered missing runaways who are not being sought after by other Federal agencies.

The USMS participates in various working groups and committees related to missing children and human trafficking, such as the White House National Security Council Policy Coordinating Committee, to assist in the development of a National Action Plan to Combat Human Trafficking. As part of this DOJ-led plan, the USMS assists the Department of Health and Human Services, Office of Inspector General, Office of Investigations in the execution of an annual initiative called Operation Helping Oppressed People Escape (HOPE). Operation HOPE

has brought together Federal, state, and local authorities for joint regional efforts to locate and recover children missing from foster care programs. Thus far, the USMS has recovered 42 missing children as part of this initiative.

Additionally, the USMS is a key member of the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives (MMIP Task Force), established by Executive Order 13898. Through this MMIP Task Force, DOJ has established 11 MMIP Coordinators in U.S. Attorneys Offices in states with high Native American populations to establish and execute a national strategy for addressing missing and murdered Native Americans. The USMS has been positioned as the next-level Federal law enforcement entity (after the Bureau of Indian Affairs and tribal law enforcement) to assist with locating and recovering missing children in or associated with Indian Country.

The MCU is on track to outpace its capacity to continue with further expansion of the necessary outreach, provision of investigative training, and continuous liaison activity projected. The MCU also conducts three missing child investigator trainings to USMS personnel annually.

Since 2015, the USMS has provided investigative assistance which has directly led to the recovery of more than 1,700 missing children. However, this success is not reflective of equally distributed investigative efforts. The missing child mission is highly concentrated within the USMS due to the limited availability of resources. Since the inception of the JVTA, the following metrics reflect USMS investigative contributions towards the missing child mission:

- 12 USMS Districts (13 percent) account for 49 percent of missing child cases received.
- 21 USMS Districts (22 percent) have supported five or fewer missing child cases.

This request will provide the USMS dedicated positions and funding to more effectively and consistently combat human trafficking through the recovery of critically-missing children.

Program Management – 1 position (1 DUSM) and \$255,000: The USMS requests one Senior Inspector for program management, implementation, and oversight of the MCU Program. The Senior Inspector will be co-located with the existing MCU Chief and DUSM currently assigned at the National Sex Offender Targeting Center, to provide training, oversight, policy, and operational assistance for the missing child mission. Due to the significant increase in missing child investigations and operations, this position will be critical in providing the necessary oversight, coordination, and resources to USMS investigators.

Investigations, Outreach, and Initiatives – 6 positions (6 DUSMs) and \$1,532,000: The USMS requests six Missing Child Program Coordinators (MCPCs) to provide investigative support and interagency coordination for missing child cases. The MCPCs will facilitate missing child investigations and operations within the USMS. MCPCs will also facilitate synergies and cooperation between the USMS and Federal agency partners, such as FBI, HSI, and HHS. There are over 120 law enforcement human trafficking task forces nationwide. The FBI maintains five Child Abduction Rapid Deployment Teams (CARD) to immediately respond to and investigate suspected non-family member child abductions. The FBI also maintains Child Exploitation Task

Forces (CETF) in most major cities, and their mission often involves the recovery of missing children. HSI also operates human trafficking task forces nationwide. The USMS will liaise with partner agencies to foster more effective communication, case deconfliction, and efficiency within Federal law enforcement.

Field Operations Tribal Activities Coordination – 1 position (1 DUSM) and \$255,000: The USMS requests one DUSM to serve as Tribal Activities Coordinator to assist and manage the USMS's coordination with tribes and tribal law enforcement that lack specialized missing child and sex offender law enforcement resources. Due to the unique legal, jurisdictional, social, historical, and cultural issues faced by American Indians and Alaska Natives, working in Indian Country requires specialized training and experience. There is significant political and practical interest in aiding tribal law enforcement on missing child cases, as evidenced by the creation of the MMIP Task Force and the DOJ initiative on Missing and Murdered Indigenous Persons. MCU and Sex Offender Investigations Branch (SOIB) personnel are active participants in both efforts. In addition, the Attorney General issued a declaration in June 2019 for emergency funding to address the public safety crises in rural Alaska, where many Alaska Natives reside. This position would serve to improve outreach and coordination with tribes and tribal law enforcement, ensuring that the USMS continues to strengthen relationships and increase coordination and communication among tribal, state, local, and Federal entities involved in sex offender management in their communities; and support a multidisciplinary law enforcement response to the recovery of missing children.

Operational Support – 3 positions (3 DUSMs) and \$766,000

1 GS-1811 TOG Cyber Intelligence Unit Inspector and \$255,000: The USMS requests one TOG Cyber Intelligence Unit (CIU) Inspector to provide intelligence, guidance, training, and oversight of cyber intelligence research supporting missing child investigations. Since January 2020, the TOG Cyber Intelligence Unit has directly supported 22 missing child cases. As cyber technology evolves, the biggest challenges to missing child cases are in areas such as: online investigations (social media exploitation), digital evidence, online undercover training and procedures, deconfliction protocols, and authorized investigative and undercover equipment/facilities (i.e., cell phones, laptops, VPN, misattributed DSL line). This area of investigation requires a multidisciplinary approach supported by technical expertise that is significantly different from historical investigative tools applied to traditional criminal behaviors. Rapidly developing areas, such as advancing IP technologies, social media platforms, and encryption mechanisms, are creating challenges and operational security concerns for investigators.

2 GS-1811 Financial Surveillance Unit (FSU) Inspectors and \$511,000: The USMS requests two FSU Inspectors to support missing child investigations. The FSU is a vital investigative resource that applies sophisticated financial surveillance techniques to locate, track, and apprehend fugitives. FSU personnel use numerous sources to detect and track a fugitive's financial activities in near real-time across various financial transaction types, including debit cards, credit cards, wire transfers, mobile payments, online transactions, and a host of other financial transactions and information that may assist in determining the fugitive's location.

FSU investigators work with thousands of retail fraud investigators for companies worldwide, including online ride-share, gaming, and streaming service companies. FSU investigators are the only USMS employees able to live-track financial transactions per USMS policy and must undergo a rigorous training course to learn the legal requirements binding the dissemination of financial information.

FSU's ability to track financial transactions from trafficked and sexually exploited children has been successful in not only uncovering the location of the endangered child and any possible abductee/abuser, but also assist in the evidence for prosecution under any applicable state or Federal laws. FSU investigators have advanced training in and knowledge on the Right to Financial Privacy Act (RFPA) and the Electronics Communications Privacy Act (ECPA) to ensure all evidence is collected and financial trail is obtained and preserved properly. Since 2016, FSU has assisted in 78 missing child cases, and 521 cases for crimes related to kidnapping, custodial interference, or human trafficking.

JVTA Administrative Support – 5 positions (0 DUSMs) and \$483,000

1 GS-0343 Management and Program Analyst (MPA) and \$97,000: One MPA will support the MCU program office at Headquarters and report to the MCU Chief. This position will handle the financial transactions associated with the program and provide a broad array of administrative support functions to support DUSMs. Examples include timekeeping, procuring authorized items for the MCU, receiving and storing regional credit card statements, maintaining personnel files, maintaining unit asset inventory, assisting with any audit-related functions, and assisting with unit reporting and correspondence. This position will also assist in financial transactions pertaining to training and operations.

2 GS-0301 Victim Witness Specialists and \$193,000: The USMS requests two victim witness specialists to provide direction, technical assistance, support, and advice to USMS offices and personnel whose mission areas intersect with victims. USMS operational personnel encounter vulnerable people and victims of crime daily, to include those subjected to human trafficking, sexual assault, domestic violence, kidnapping/parental abductions, child sexual abuse material and various other crimes that necessitate immediate referrals to healthcare or victim services. These positions will ensure the necessary offices, as well as district office collateral duty Victim Witness Coordinators, are provided with the guidance, training, and resources they need to navigate a variety of victim assistance matters.

2 GS-0132 MCU Intelligence Research Specialists (IRS) and \$193,000: The USMS requests two IRSs to provide intelligence support on missing child cases. IRSs conduct research through law enforcement, commercial, and other information systems; synthesize large amounts of information; and provide intelligence products in support of missing child investigations. Two IRS positions will be placed at the MCU Program Office to ensure support, resources, and tools can be available on missing child investigations whenever applicable. Due to the increase in law enforcement requests for missing child investigative assistance, the need for IRS intelligence support is critical to supporting the USMS' investigative response to recovering endangered missing children.

Impact on Performance

This initiative allows the USMS to deploy dedicated resources towards recovering missing children and thereby enhancing community safety. This resource request supports Executive Orders: The Task Force on Missing and Murdered American Indians and Alaska Natives, pursuant to Executive Order 13898 and the National Action Plan to Combat Human Trafficking, pursuant to Executive Order 13903.

The USMS possesses the unique skill sets and expertise desperately sought by law enforcement agencies faced with a critically missing child scenario. The requested funding will provide the USMS with the ability to support such requests which often involve acts of violence against a child victim without negatively impacting the USMS' other critical violent crime program areas.

Since the passage of the JVTAs, the USMS has experienced a mounting increase in the number of requests for assistance in missing child cases; from 212 in FY 2015 to 583 in FY 2020. Simultaneously, the USMS has demonstrated its ability to be effective in this crucial mission. Since 2015, the USMS has contributed to the recovery of a missing child in 75 percent of cases received. In 2020, that amounted to the recovery of 387 endangered missing children who otherwise might still be missing. The USMS anticipates that the enhanced missing child program resulting from the requested positions and resources will generate increased activity and a notable impact.

A fully-developed management team is vital to the USMS' ability to provide sufficient oversight and support for missing child field investigations. Field investigators and operational support positions will ensure that the USMS can respond swiftly and effectively to recover missing children without impairment to other critical USMS mission areas.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Intelligence (0132)	2	\$96.647	\$142.207	\$202.375	\$193	\$91	\$121
Clerical and Office Svcs (0300-0399)	3	\$96.647	\$142.207	\$202.375	\$290	\$137	\$180
Criminal Investigative (1811)	11	\$255.281	\$229.665	\$336.303	\$2,808	-\$282	\$1,173
Total Personnel	16				\$3,291	-\$54	\$1,474

* Annual Costs per Position:

1st Year Adjusted Cost assumes hiring at the minimum grade level and applies a 50% lapse to pay and benefits, reflecting the distribution of hiring new personnel throughout an entire year.

2nd Year Adjusted Cost restores the pay and benefits lapse, removes one-time only costs that are applicable only to the first year, and assumes an increase in pay grade where applicable.

3rd Year Full Cost (Modular) is the standardized full-year cost for each position which includes pay and benefits at the full performance or journeyman level, equipment, training, and miscellaneous expenses.

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A	\$0			\$0	\$0
Total Non-Personnel	\$0			\$0	\$0

4. Justification for Non-Personnel Annualizations

N/A

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	\$0	\$0	\$0	\$0	\$0
Increases	16	11	8	\$3,291	\$0	\$3,291	-\$54	\$1,474
Grand Total	16	11	8	\$3,291	\$0	\$3,291	-\$54	\$1,474

6. Affected Crosscuts

Crimes Against Children
 Cyber Crime (TOG – Cyber Intelligence Unit)
 Human Trafficking
 Violent Crime

Item Name: **Task Force Officer - Body Worn Camera**

Budget Decision Unit: Fugitive Apprehension

Organizational Program: Information Technology Division
Investigative Operations Division
Office of General Counsel

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$4,400,000

Description of Item

The USMS requests \$4,400,000 to provide software and storage for data and video from BWCs of federally-deputized Task Force Officers (TFOs). Funding will also support storage of BWC video for TFOs whose parent agency mandates the use of BWCs while they serve on Federal task forces.

Justification

The Department announced in October 2020 that the DOJ “will permit state, local, territorial, and tribal task force officers to use body worn cameras on Federal task forces around the nation. The Department’s policy will permit Federally deputized officers to activate a body worn camera while serving arrest warrants, or during other planned arrest operations, and during the execution of search warrants.” The policy is the result of a pilot program launched by the Department in October 2019 and applies to the extent that a TFO’s parent agency requires BWC use by its officers during Federal task force operations. Requested funding will not be used to purchase camera hardware, as the hardware will be provided by the parent agency.

Funding will allow the USMS to support the TFO and the TFO’s parent agency by providing data and video storage software and capacity for some of the TFO’s BWC video while the TFO is serving on a Federal task force directed by the USMS. Video storage is one of the costliest aspects of a BWC program, and Federal support for these storage requirements will allow the USMS to maintain and increase partner agency participation in the Department’s task forces.

As outlined in the Department’s policy, “all TFO BWC recordings made during Federal task force operations, including such recordings retained by the TFO’s parent agency and/or in the possession of any third party engaged by the parent agency to store or process BWC recordings, shall be deemed Federal records of the Department and the Federal agency sponsoring the task force pursuant to the Federal Records Act.” Furthermore, the policy directs that “TFO BWC recordings are controlled by, and the property of, the Department and will be retained and managed by the Federal agency sponsoring the task force. The Federal agency sponsoring the task force is responsible for considering requests to release TFO BWC recordings.”

The USMS will implement a video management solution that will provide capability for TFOs to share BWC recordings as digital data; deliver a robust end-to-end solution for USMS to access,

manage, and report data in response to an authorized request; and perform redaction, video management, and audit capabilities. The BWC program will be an enormous undertaking for the USMS, impacting multiple program areas throughout the agency including the Investigative Operations Division, Office of General Counsel, and Information Technology Division.

The USMS will be responsible for reviewing, approving, and storing a new Memorandum of Understanding that discusses the BWC authorization and practices. The collection of data from TFOs will be quite time consuming. The USMS District Supervisors or Task Force Commanders will have to request BWC data from TFOs, label BWC data, and review BWC data within a storage cloud service. There are approximately 500 TFOs nationwide capturing video annually (52 hours/annually each) and the total relevant video up to 500 terabytes (TB). Only 20 percent of video may be subject to records requirements beyond 90 days. 80 percent of video is already stored in leading BWC vendor cloud, and Core IT Service dependency optimization is required. Data tracking and management tools are required. The USMS estimates it may have between 100TB to 500TB of relevant video data annually.

Impact on Performance

Since 2018, the USMS has lost nine partner agencies and approximately 30 TFOs due to the lack of a BWC video collection and storage system. The USMS expects this number to increase quickly and significantly as state and local jurisdictions react to the recent civil unrest and public demands for policing reforms. In many areas of actual and potential impact, the TFOs provide the bulk of manpower resources for the task force presence, and the loss of an agency means that the USMS-led task force ceases to function as an operational law enforcement entity in that area.

Capturing video during USMS operations are subject to Federal records requirements where a copy of the data may be required to be maintained. This request will allow the USMS to properly manage the program and allow TFO to wear their bodycams in USMS operations.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A							
Total Personnel	0				\$0	\$0	\$0

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
BWC Hardware / Software	\$1,040			\$0	\$0
BWC Contractor Services	\$2,860			\$0	\$0
BWS Operations & Maintenance	\$500			\$0	\$0
Total Non-Personnel	\$4,400			\$0	\$0

4. Justification for Non-Personnel Annualizations

The funding request is for phased implementation of the program to USMS Headquarters and 150 district sites at \$500,000 in Operations and Maintenance, \$1,040,000 in software and Axon camera costs, and \$2,860,000 in external personnel. The program fully recurs at \$4,400,000 annually.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	\$0	\$0	\$0		
Increases	0	0	0	\$0	\$4,400	\$4,400	\$0	\$0
Grand Total	0	0	0	\$0	\$4,400	\$4,400	\$0	\$0

6. Affected Crosscuts

Restoring Police-Community Relationships

Item Name: McGirt Resources

Budget Decision Unit: Judicial and Courthouse Security
Fugitive Apprehension
Prisoner Security Transportation
Protection of Witnesses
Tactical Operations

Organizational Program: District Affairs

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$8,700,000

Description of Item

The USMS requests \$8,700,000 to provide the temporary personnel necessary to facilitate the expected transfer of felony cases from Oklahoma State Court to Federal Court due to the Supreme Court decision in McGirt v. Oklahoma. This expected influx of Federal detainees requires additional Deputy U.S. Marshals (DUSMs) to manage court productions, prisoner and judicial security, and prisoner transportation. The request will provide funding for temporary duty assignments (TDY) to assist the Northern, Western, and Eastern Districts of Oklahoma in managing the increased workload while a permanent solution is being devised.

Justification

On July 9, 2020, the Supreme Court held in McGirt v. Oklahoma that Congress had never disestablished the Muscogee (Creek) Nation. Therefore, the area in question remained “Indian country” and offenses committed there were not within the jurisdiction of the State of Oklahoma. This ruling results in an immediate shift of criminal jurisdiction from the State of Oklahoma to Federal or tribal government in cases where a Native American is involved, either as a defendant or a victim, for offenses committed within those historical boundaries. Although McGirt applied only to the Muscogee (Creek) Nation, the Supreme Court made clear that the decision would likely be extended to the four other tribes with similar treaties in the same region. Subsequently, on March 11, 2021, the Oklahoma Court of Criminal Appeals extended the McGirt principles to the Cherokee Nation and Chickasaw Nation; the Choctaw and Seminole Tribes were reaffirmed on April 1, 2021.

All five territories encompass approximately 32,000 square miles, or 45 percent of the state of Oklahoma. This area includes the city of Tulsa, Oklahoma. The total population within the combined borders is roughly 1.9 million, of which approximately 420,000 are enrolled tribal members. All judicial districts in Oklahoma are now responsible for addressing:

- All new cases involving Native American defendants and victims;
- All pending state prosecutions involving Native American defendants and victims;
- Native Americans imprisoned in state prisons who may challenge their state felony convictions based on lack of jurisdiction; and

- Non-Native American defendants imprisoned in state prisons who committed crimes against Native American victims.

The McGirt v. Oklahoma ruling has an immediate impact on the USMS workload in Oklahoma. The USMS is responsible for the safe, secure, and humane housing of all Federal prisoners. The USMS will be required to provide detention bedspace to all prisoners remanded to the custody of the Attorney General. In addition, all detainees will have to be transported to and from the correctional facilities by DUSMs. Once at the courthouse, DUSMs provide the security for all judicial proceedings. Other USMS missions will also be affected. With more cases, there will be additional workload for the fugitive apprehension, tactical operations, and witness protection missions. Finally, all of these positions will also require additional administrative support.

Impact on Performance

This initiative allows the USMS to continue to meet our responsibilities in the most effective and efficient manner possible, without assuming unnecessary risk to the safety of our personnel, protectees, and those placed in our care. This request is essential to meet the increased demand in USMS mandated missions due to the McGirt v. Oklahoma ruling.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A							
Total Personnel	0				\$0	\$0	\$0

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Temporary Duty Assignments	\$8,700			-\$8,700	\$0
Total Non-Personnel	\$8,700			-\$8,700	\$0

4. Justification for Non-Personnel Annualizations

The \$8,700,000 request will be a one-time increase until a permanent solution has been implemented.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	0	0	\$0	0	0
Increases	0	0	0	0	\$8,700	\$8,700	-\$8,700	0
Grand Total	0	0	0	0	\$8,700	\$8,700	-\$8,700	0

6. Affected Crosscuts

Indian Country

Item Name: **International Extraditions**

Budget Decision Unit(s): Fugitive Apprehension

Organizational Program: Investigative Operations Division

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$3,000,000

Description of Item

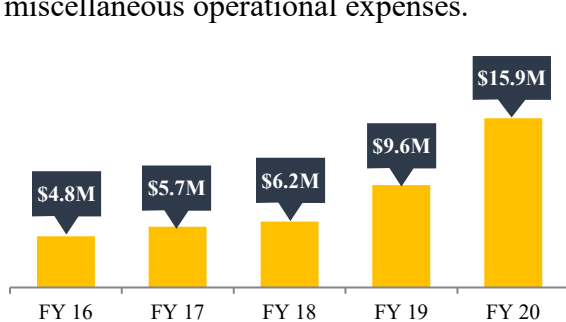
The USMS requests **\$3,000,000** to fund rising costs of returning international fugitives to the United States for judicial proceedings. Extradition has become an important tool in fighting the growing threats posed to the United States and its citizens by foreign-based terrorists, cybercriminals, and organized criminal groups and in holding accountable those who seek to escape justice by fleeing the United States. Extraditing fugitives sends a strong signal to those who would violate laws and seek impunity across international boundaries that the United States will make the effort and expend the resources necessary to see them stand trial.

Justification

DOJ is responsible for the investigation and apprehension of fugitives who have fled the United States to foreign countries to avoid prosecution or incarceration. DOJ uses various judicial methods to return these fugitives to the United States, including extradition. The USMS is the Federal government’s primary agency tasked with returning to the United States international fugitives who are wanted on Federal, state, or local charges. The USMS does not control the number of international fugitives who need to be returned to the United States; it simply executes the removal event.

Removal Mission Costs

In FY 2020, the USMS expended approximately \$15,900,000 on 618 missions. Costs include airfare for personnel and prisoners, chartered aircraft, lodging, per diem, overtime, and miscellaneous operational expenses.

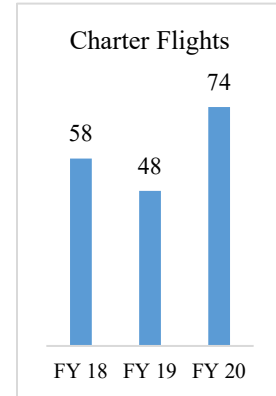


+65.6% ↑

Mission costs increased by 65.6% in FY 2020 compared to FY 2019, primarily due to the increased reliance on chartered aircraft due to the COVID-19 pandemic.

Cost projections for future years are difficult to make due to several complex external factors including: 1) type and volume of criminal investigations currently being pursued by our Federal partners; 2) proposed legislation that could eliminate the need for some charters; and 3) foreign litigation, and the timing for court determinations of defendant extraditability. These factors are generally outside USMS control.

The cost of removing each international fugitive to the United States varies due to multiple factors, including the location of the international fugitive, the type of removal method, and any special transportation accommodations. The most significant cost-driving factor is the type of travel required to remove an international fugitive. Commercial airlines cannot always be used to safely and securely transport international fugitives. In instances where special circumstances surround the removal event, the USMS may have to procure charter flights to conduct the mission. The use of charter flights significantly adds to the cost of an extradition.



The location of a fugitive may also significantly affect the cost. Some international fugitives are in remote areas that may require numerous international flights to return to the United States. In addition, there are certain cases that dictate the use of charter aircraft such as special venue provisions for offenses committed outside the territory of the United States. These provisions state that a person who is apprehended on charges outside the United States must be tried in the judicial district where he or she first arrives in the United States. As a result, the USMS must ensure that the fugitive first arrives in the United States in the judicial district where he or she will be tried. This is problematic when commercial airlines do not offer direct flights to a particular Federal judicial district.

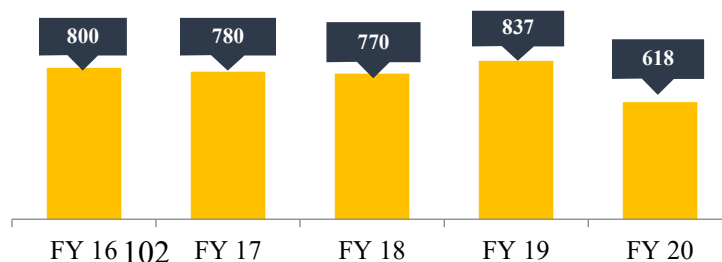
Due to the globalization of crime and the ease of international travel, the Department and USMS has seen a significant increase in demand for international removal services. For example, in FY 2000, approximately 230 Federal and state fugitives were extradited to the United States from abroad. Two decades later, the figure averages to around 800 per year. Below are the number of total removal missions the USMS has completed since FY 2016.

Total Removal Missions



In FY 2020, the USMS performed 618 removal activities during the COVID-19 pandemic. Removal missions include deportations, expulsions, extraditions, and foreign assists. Mission taskings decreased by 26.16% from the previous year due to the goal pandemic.

-26.16%



Impact of COVID-19

Despite COVID-19 travel restrictions, the USMS conducted removal missions to fulfill the obligations of the United States government and the USMS. The USMS maintained its international operations by implementing adjustments to removal mission procedures which were focused on limiting USMS personnel exposure, allowing for reliable and secure methods of transit, and offering additional assurances to our foreign counterparts and their governments. To reduce exposure and maximize safety and due to a reduction in reliability and availability of alternatives, the USMS conducted operations using chartered aircraft, which increased costs.

The limited flexibility of treaty deadlines, litigation, and custody matters seen at the onset of the pandemic grew more and more rigid. Foreign governments were less willing to extend deadlines and more inclined to release subjects from custody if extension requests were made. Among other challenges during the pandemic, foreign governments required quarantine during any time in-country and required personnel to provide COVID-19 test results prior to arrival. Limited visas and border and travel restrictions created complications obtaining necessary visas, and often required lengthy host-government exemptions and advanced notice. Transit country options were reduced, resulting in difficulty coordinating mission logistics and flight plans.

Despite these challenges, the USMS safely conducted its removal missions in FY 2020. The USMS has mostly returned to the utilization of commercial air travel for international fugitive removal operations since December 2020. All missions are subject to commercial flight availability, COVID testing, and other country-specific COVID migration protocols. Charter flights are only considered when venue-specific charges are required and lack of direct commercial flights to the demanding district prevent removals via commercial air, and other reasons such as medical or security issues. Missions requiring charter flights are vetted through the Department to ensure legal necessity.

Impact on Performance

As the Federal government's primary agency tasked with returning international fugitives who are wanted on Federal, state, or local charges, this initiative provides additional funding to support the USMS extradition program. Without this funding, the USMS will continue to realign base resources from other programs to fund the mandatory costs related to extradition.

If the requested funds are provided, the USMS will:

- Complete all removal requests within existing base funding.
- Avoid reducing other USMS programs to fund extraditions.
- Establish funding certainty for effective program management.
- Assure the public that the USMS will track down fugitives who attempt to evade justice by fleeing to other jurisdictions.

This funding will allow the USMS to remain a strong partner with the DOJ in accomplishing the mission of investigating and apprehending fugitives who have fled the United States.

Funding

1. Base Funding

FY 2020 Enacted				FY 2021 Enacted				FY 2022 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
0	0	0	\$3,000	0	0	0	\$3,000	0	0	0	\$3,000

2. Personnel Increase Cost Summary

Type of Position/Series	Positions Requested	Annual Costs per Position* (\$000)			FY 2022 Request (\$000)	Annualizations (\$000)	
		1st Year Adjusted Cost	2nd Year Adjusted Cost	3rd Year Full Cost (Modular)		FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
N/A	0	\$0	\$0	\$0	\$0	\$0	\$0
Total Personnel	0				\$0	\$0	\$0

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Extraditions Base Increase	\$3,000			\$0	\$0
Total Non-Personnel	\$3,000			\$0	\$0

4. Justification for Non-Personnel Annualizations

The USMS requests a base increase of \$3,000,000 for the Extraditions program budget. This amount fully recurs.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	0	0	0	\$0	\$3,000	\$3,000		
Increases	0	0	0	\$0	\$3,000	\$3,000	\$0	\$0
Grand Total	0	0	0	\$0	\$6,000	\$6,000	\$0	\$0

6. Affected Crosscuts

International Activities