

U. S. Department of Justice

FY 2008 PERFORMANCE BUDGET



Office of the Federal Detention Trustee

Congressional Budget Submission

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I. Overview

1. Introduction

The Office of the Federal Detention Trustee (OFDT) requests a total of 21 permanent positions, 21 full-time equivalents (FTE), and \$1,294,226,000 for Fiscal Year (FY) 2008. The request represents an increase of \$4,660,000 over the FY 2007 Estimated Level. The requested increase includes \$5,185,000 for adjustments-to-base, \$2,475,000 for a technical adjustment, and \$3,000,000 for program offsets. In addition, language is included allowing up to \$5,000,000 to be made available for the Cooperative Agreement Program (CAP). The request by strategic goal follows:

DOJ Strategic Goal	OFDT Program Activity	Request
4.3	DetentionServices	1,262,391,000
4.1	JPATS Transportation	31,835,000
	Total Request	\$1,294,226,000

OFDT is not requesting any enhancements for information technology (IT). However, the request includes 3 positions, 3 FTE and \$2,633,258 for base IT activities (*see page17*). Beginning in FY 2007, electronic copies of the Department of Justice’s congressional budget justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.usdoj.gov/jmd/2008justification/>.

2. Background

The OFDT was established as a Department of Justice (DOJ) organization in September 2001 by Congressional directive in response to growing concerns regarding federal detention. Congress believed that the size and scope of federal detention demanded a central organization that could direct resources and facilitate the implementation of programmatic changes. OFDT’s mandate is the oversight of detention management and the improvement and coordination of detention activities for DOJ and the Department of Homeland Security.



In 2005, Congress directed OFDT to assume the responsibility of managing the Justice Prisoner and Alien Transportation System (JPATS). This is a clear mandate to improve JPATS management to ensure equality among agencies while allowing unimpeded prisoner transportation operations.

3. *Mission*

Mission Statement

Manage and regulate the Federal detention programs and JPATS by establishing a secure and effective operating environment that drives efficient and fair expenditure of appropriated funds.

OFDT was created to avoid duplication of effort and cost of detention activities by competing agencies. OFDT focuses on process and infrastructure improvements. OFDT has developed a strategic approach that crosses organizations to meet the increasing demands on the detention community of aggressive immigration and law enforcement initiatives. In an effort to meld the many requirements of the USMS, the BOP, and ICE, OFDT is implementing a national detention strategy characterized and driven by an *enterprise perspective*. OFDT's Strategic Plan lays out the foundation for this strategy.

4. *FY 2008 Budget Request by Strategic Goal*

The OFDT budget includes resources that support the President's immigration/border initiative, the Attorney General's initiatives focusing on drugs and child pornography, and internal initiatives identified in the strategic plan that continue efforts in containing and managing detention and transportation costs. The budget is aligned with DOJ and OFDT strategic and performance goals and objectives, which are clearly displayed in the Performance and Resources Table (*See page 18*). The mission is defined by two program activities: 1) Detention Services; and 2) JPATS Transportation. These program activities correspond directly with DOJ Strategic Goals as shown below. Further, each program activity clearly displays the related performance objectives as well as the full program funding to accomplish the mission objectives within each activity. All of this information as well as the critical performance targets and workload projections are included in the Performance and Resources Table (*See page 18*). The alignment of DOJ Strategic Goals, OFDT program activities, and OFDT Strategic Goals follows.

DOJ Strategic Goal 4.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing

OFDT Program Activity: Detention Services

OFDT Strategic Goal 1: Meet the Nation's Detention Requirements in the most economical manner

OFDT Strategic Goal 2: Ensure safe, secure, and humane confinement

DOJ Strategic Goal 4.1 Ensure the appearance of criminal defendants for judicial proceedings or confinement

OFDT Program Activity: JPATS Transportation

OFDT Strategic Goal 3. Increase efficiency of the JPATS program

4.A Budget Request - DOJ Strategic Goal 4.3/ Detention Services

FY 2008 Request: OFDT requests \$1,262,391,000 in appropriated resources for detention services for detained prisoners. This amount includes \$1,148,899,000 for costs associated with detention and care of prisoners. Program costs for health care and medical guards are \$80,102,000 and \$15,850,000, respectively. Also included in the total cost for this program activity is \$14,114,000 for intra-district transportation and \$3,426,000 for other associated costs.

Increases (above FY 2007 estimate): The request is \$4,660,000 higher than the estimated enacted FY 2007 level. The estimated enacted level includes \$5,185,000 as adjustments-to-base, a \$2,475,000 technical adjustment, and \$3,000,000 in program offsets. With the resources requested, the OFDT estimates it will be able to house detainees for 16,854,300 jail days in non-federal facilities, house an average of 59,200 detainees on a daily basis, and provide the detainee population with medical and hospital care, guard services and other detention-related items.

4.A.1 Adjustments-to-Base

OFDT requests a base adjustment for price increases in basic commodities and compensation. The base adjustment reflects an increase for medical services and other specific commodities. (See Exhibit B). The requested increase by expense category is reflected in the “Resource Summary” (See Exhibit N).

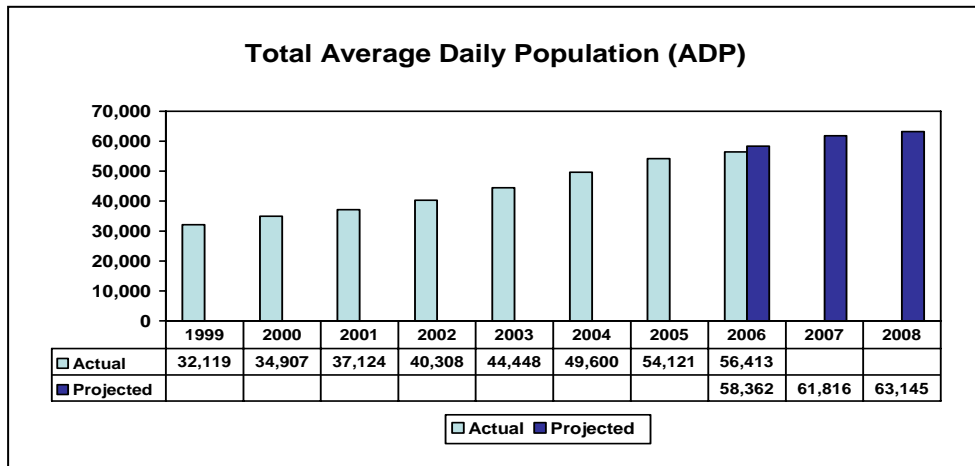
Adjusted Health Care Related Costs: Costs for detention-related services have increased proportionately to the increase in the Average Daily Population (ADP) and as a result of increases in relevant price indices. Accordingly, anticipated costs for health care services reflect the growth in the detention population and the Centers for Medicare and Medicaid Services (CMS) estimate of increases in Medicare/Medicaid service rates.

Anticipated Increase in FY2008 Average Daily Population

For FY 2008, the ADP is projected to reach 63,145. This ADP is predicated on an estimated

193,088 arrests during FY 2008.

This projection assumes that 82% of those arrested will be detained for more than 4 days and, the average length of



detention will be 137 days. Also included are the President and Attorney General’s initiatives involving immigration, drugs and child pornography.¹

From FY 2000 – FY 2007, the USMS detention population (actual and projected) increased at an average of 8.5% annually. However, in FY 2008 the projected increase is only 2.1% above the FY 2007 level. The slowing rate of growth in the detention population is largely the result of a moderating growth rate for the number of persons arrested by the federal law enforcement agencies and decreases in (1) the proportion of defendants ordered detained by the courts and (2) the length of time defendants are detained pending adjudication and subsequent transfer to the BOP following conviction and sentencing.

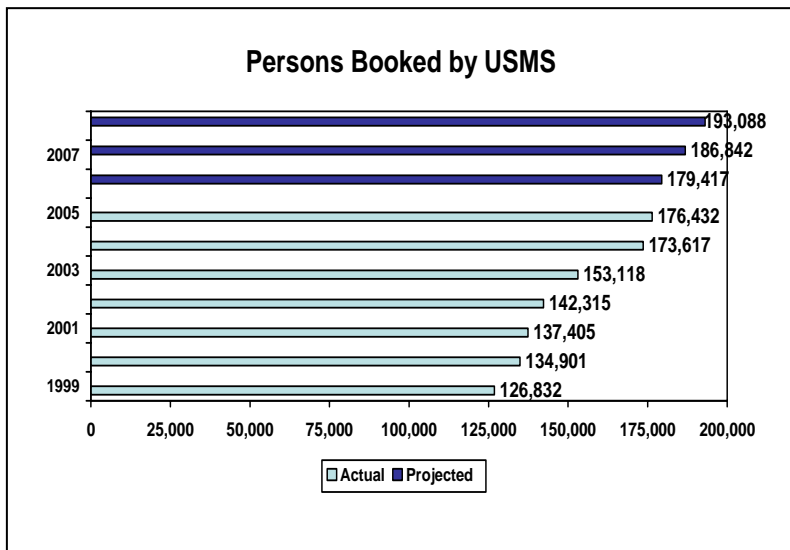
NOTE: As a result of several proactive initiatives undertaken by the OFDT and the U.S. Attorneys, such as fast-tracking the prosecution of selected offenses, reducing the number of defendants ordered detained, and expediting the designation and transfer of sentenced prisoners to BOP correctional institutions, the detention rate decreased from approximately 85% of persons arrested during FY 2004 to 82% during FY 2005-2006; and the length of time defendants are detained pending adjudication and subsequent transfer decreased from 159 days during 2004 to 145 days during FY 2005-2006.

Detention Population Forecasting Model

The OFDT population forecasting model uses a statistical approach for predicting detention needs based on factors such as; population and demographic trends, number and type of criminal cases processed, average processing time per type of case; and, the authorized positions of federal law enforcement, U. S. Attorneys, U.S. District Court judges, and immigration judges. These factors allow for the development of impact scenarios that address proposed legislation and DOJ law enforcement initiatives.

Rate and Category of Bookings

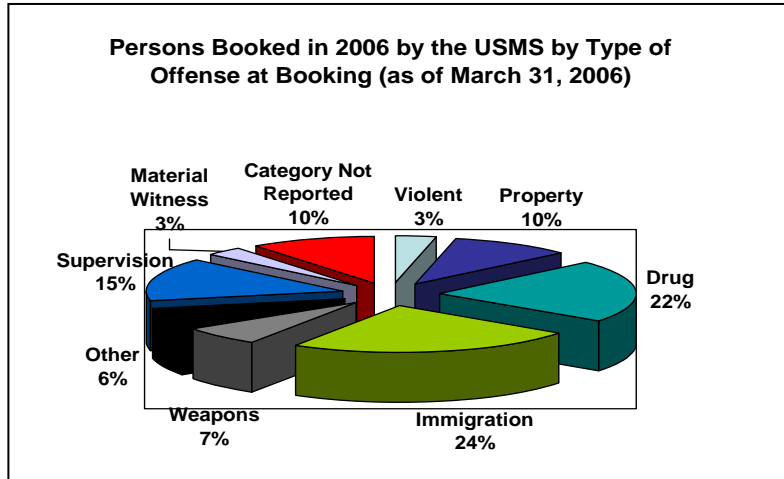
Between FY 2000 and 2006, the number of persons arrested by federal law enforcement agencies and booked by the USMS increased an average of 4.8% annually, from 134,901 to 179,417. The growth rate in federal arrests varies considerably by region and offense category, reflecting the law



¹ These estimates account for further decreases in detention time resulting from OFDT initiatives.

enforcement challenges and priorities of the U.S. Attorneys. It is anticipated that the growth rate for arrests and booking will moderate during FY 2007 and 2008 and will increase at an average annual rate of 3.7%.

While OFDT is continually monitoring the federal criminal caseload and undertaking efforts to improve the reliability of its



projection methodologies, not all policy, program, and/or environmental factors may be known when projecting future levels of federal arrests. For example, between FY 2003 and 2004 arrests and bookings increased by 13.4% (or by 20,500). By comparison, between FY 2000 and 2003, arrests and bookings increased an average of 4.3% annually. More than half of the unanticipated increase in bookings observed during FY 2004 involved arrests for immigration offenses. Currently (as of March 31, 2006), only 24% of the arrests/bookings are for immigration offenses. Of the remaining categories 37% include arrests for drug, weapons, and violent offenses. While unanticipated fluctuations remain outside of our control and are not predictable, OFDT can mitigate the impacts by continuing to drive efficiencies in areas where we can exert some control; i.e., length of stay and transportation.

Implementation of Core Rate IGA

The OFDT has developed a core rate plan to standardize the amount and the way Intergovernmental Agreement (IGA) rates for State and local facilities are calculated. The core rate plan establishes a negotiated fixed per diem rate for each facility based on rates of similar facilities and limits future adjustments to the per diem rate. It will allow the cost of housing detainees to be more predictive as historical trends and set prices are integrated to provide more comprehensive bedspace requirements.

OFDT has revised the core rate program to spread the implementation over a 3- 4 year period, thus spreading program costs over a longer period. The FY 2008 budget projections were recalculated to incorporate the impact of the standardized pricing. OFDT will begin to phase in the IGA beginning in FY 2007 (*See page 25*).

Cooperative Agreement Program

CAP provides resources to select State and local governments to renovate, construct, and equip detention facilities in return for guaranteed bedspace for a fixed period of time for federal detainees in or near federal court cities. The long-term nature of CAP enhances OFDT's ability to contain costs more effectively than private facility contracts since private facilities have generally higher per diem rates.

Historically, CAP funds were awarded in large amounts (average \$1 million, but up to \$9 million) to a small number of state and local governments. The USMS would then negotiate per diem rates which allowed the local government to request increases every year, further driving up the value of those beds and making it more costly in the long run. OFDT, however, believes that awards could be leveraged for a lower long-term, fixed per diem rate mirroring the length of the CAP agreement so the capital investment pays for itself within a short period of time. OFDT also believes that awards should be geared towards aiding communities in close proximity to federal court cities facing critical bed space shortages in small numbers. (Citing the economies of scale, finding beds for larger populations – more than 500 – is easier to resolve because outsourcing, or private contracting, is advantageous for both the federal government and private industry and is generally easier to negotiate.)

It is virtually impossible to outsource smaller populations, because it is not in the best interest of private industry to provide small numbers of beds. Locations that are difficult to fund are smaller populations in remote areas, such as Marquette, MI. This USMS district has a need for only 15 beds and the closest option is 4.5 hours away – too far for the AUSAs and federal public defenders to meet regularly with the detainee and too far for detainees to travel back and forth in one day food and showers aren't available for the detainees on return at those late hours). A capital investment of \$250,000 by OFDT would allow the local county to build those beds and make them available to us, resolving our housing issue there for 15 years. However, the local government wants to take the current USMS 15 beds for their own utilization, and without CAP funds the OFDT is at an impasse.

Detention Services Efficiencies

In the past 13 years, the Federal detainee population has experienced unprecedented growth as a result of expanded Federal law and border enforcement initiatives. This has been a major challenge for Federal agencies detaining prisoners. To meet this challenge, OFDT works with the detention community to identify and implement efficiencies to reduce the ADP and detention expenditures.

OFDT has successfully implemented efficiencies in several areas including: eDesignate, which reduces post-sentencing time in detention; core-rate IGA, which standardizes the pricing strategy for paying for non-federal detention space in order to control costs and provide greater certainty in rates to be paid; and, Quality Assurance Review Program, which ensures non-federal facilities' housing meet DOJ requirements for safe, secure and humane confinement.

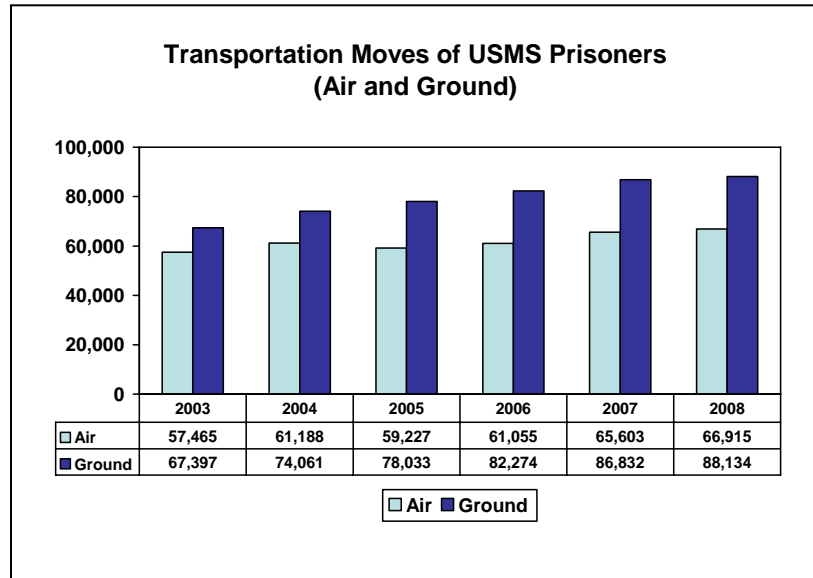
OFDT continually seeks ways to realize efficiencies without hampering operations and strives for savings that can be reinvested in infrastructure improvements that provide cost containment over the long-term. A complete discussion of OFDT accomplishments, efficiencies and cost containment measures is provided in *Section IV Decision Unit Justification (See pages 22-32)*.

4.B Budget Request - DOJ Strategic Goal 4.1/ JPATS Transportation

FY 2008 Request: OFDT requests \$31,835,000 for JPATS prisoner transportation. This includes \$28,225,000 for air transportation and \$3,610,000 for transportation support. Transportation resources include transportation by air for long distance movements and resources for districts supporting the JPATS airlift. The Department proposed transfer of USMS resources to OFDT in the FY 2007 President’s Budget.

FY 2008 Transportation Moves

Transportation needs are directly related to the distance between courts, district offices, JPATS, and medical facilities. As the number of detainees and facilities has grown, transportation usage has increased.



JPATS Efficiencies

In FY 2005 and 2006 and into 2007, OFDT funded special airlift missions to relieve pressure points in the JPATS transportation system. Through these supplementary airlifts, prisoners were transported to their BOP designated correctional facilities more expeditiously, resulting in a noticeable reduction in post-sentencing detention time.

OFDT’s long term goal of increasing the efficiency of JPATS includes several primary projects for equitable distribution of costs and faster prisoner movement with available resources. For example, the Pricing Methodology and Staffing Model project for JPATS ensures financial management integrity and efficiency and the equitable distribution of costs and expenses for customers of JPATS as it relates to the JPATS workforce. Beginning in FY 2006, OFDT began a pilot program of in-transit housing and transportation hubs. The program will be expanded in 2007 if data validation shows efficiencies (See pages 24,30).

5. PART

OFDT was reviewed in FY 2006 and received an “Effective” rating. The newly established Improvement Plan includes automation of the detention billing and payment system, revitalizing and restructuring the Cooperative Agreement Program, and researching a stronger capacity for program evaluation which will meet PART requirements.

6. Full Program Cost

Full Program Cost by Program Activity (OFDT Total Request: \$1,294,226,000)		
Program Activity	Dollars In Thousands	
Detention Services	Housing & Subsistence*	\$1,148,899
	Health Care Services*	80,102
	Medical Guards	15,850
	Transportation*	14,114
	Other	3,426
	Subtotal	\$1,262,391
JPATS Transportation	JPATS	31,835
Grand Total.....		\$1,294,226

*Note: Support Costs are prorated across the appropriate program activity.

7. OFDT Organization

OFDT is comprised of 4 divisions and 2 supporting offices and has a full-time permanent staff of 21 employees. The organization chart is shown at Exhibit A.

8. Mission Challenges

The internal and external mission challenges are incorporated into Section IV Decision Unit Justification (See pages 22-32).

II. Summary of Program Changes

Item Name	Description	Pos.	FTE	Dollars (\$000)	Page
Prisoner Housing		
Prisoner Transportation		

III. Appropriation Language

For necessary expenses of the Federal Detention Trustee, [\$1,332,326,000] \$1,294,226,000, [of which \$45,000,000 shall be derived from prior year unobligated balances from funds previously appropriated,] to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System [and for overseeing housing related to such detention]: Provided further, [That any unobligated balances available in prior years from the funds appropriated under the heading “Federal Prisoner Detention” shall be transferred to and merged with the appropriation under the heading “Detention Trustee” and shall be available until expended.] That not to exceed \$5,000,000 shall be considered “funds appropriated for State and local law enforcement assistance” pursuant to 18 U.S.C. § 4013(b). (Department of Justice Appropriations Act, 2006.)

Analysis of Appropriations Language

Language is proposed to include the Cooperative Agreement Program funding in the OFDT appropriation. This will relieve OJP of the audit responsibility for funds over which it has no control, alleviate duplication of work and allow OFDT direct management of all detention resources.

The FY 2008 President’s Budget uses the FY 2007 President’s Budget language as a base so all language is presented as new.

IV. OFDT Decision Unit Justification

<i>Office of the Federal Detention Trustee</i>	Perm. Pos.	FTE	Amount
2006 Enacted with Rescissions	21	21	\$1,161,967
2007 Estimate	21	21	1,289,566
Adjustments to Base and Technical Adjustments	...	...	7,660
2008 Current Services	21	21	1,297,226
2008 Program Increases	...	...	...
2008 Offsets	...	...	-3,000
2008 Request	21	21	1,294,226
Total Change 2007-2008	...	...	4,660

A. *Program Description*

A.1 *Detention Services*

The mandate of the Detention Trustee is to manage resource allocations, exercise financial oversight of detention operations, and set government-wide detention policy. OFDT has overall management and oversight responsibility for federal detention services relating to the detention of federal prisoners in non-federal institutions or otherwise in the custodial jurisdiction of the USMS.

Historically, the USMS has administered the federal prisoner detention program for the federal government using funding appropriated specifically for the care of federal prisoners. These resources have provided the housing, medical care, and medical guard services for federal detainees remanded to USMS custody. Costs begin at the time a prisoner is brought into USMS custody and extends through termination of the criminal proceeding and/or commitment to BOP. The USMS is responsible for processing, housing, and producing federal detainees for all court actions. The number of detainees remanded to its custody is the direct result of the number of arrests made by federal law and border enforcement agencies, and the prosecutorial efforts of the U.S. Attorneys. The decision to detain an individual is by order of the court.

The Federal Government relies on various methods to house detainees. Detention bed space for federal detainees is acquired at the lowest cost to the government through: (1) federal detention facilities, where the government pays for construction and operation of the facility; (2) Intergovernmental Agreements (IGA) with State and local jurisdictions who have excess prison/jail bed capacity and where a daily rate is paid for the use of the bed; (3) private jail facilities where a daily rate is paid; and, 4) CAP, where capital investment funding was provided to State and local governments for detention space in exchange for guaranteed bed space where a daily rate was paid.

In recent years, the Department has not been able to rely solely on IGAs and Federal facilities to meet the surge in the detention population, primarily because State and local governments are increasingly using their facilities for their own detention requirements. With space not available in areas where more federal bedspace is needed, the Department

faces a severe challenge and has increasingly turned to the private sector. OFDT will continue to work cooperatively with the private sector and state and local governments to establish and maintain capacity to detain persons in federal custody in cost-effective, safe, secure and humane facilities that meet appropriate standards, at a slower rate than inflation. A detailed look at this issue follows.

- During FY 2006, 56,413 prisoners were under the custodial jurisdiction of the USMS, on an average daily basis. Of these, an average of 11,898 prisoners were housed in facilities owned and operated by the BOP and an additional (43,563) were housed in a combination of detention facilities operated by state and local governments (36,620) and private correctional facility operators (6,943).
- The BOP is appropriated for and has provided beds for detention. Historically, the beds were provided in specific facilities. However, in December 2004, OFDT reached agreement with the BOP whereby the USMS could place detainees in any available and empty BOP beds. Based on current agreements, the BOP will be able to house an annual average of 12,300 USMS detainees. The FY 2007 and 2008 budgets are based on maintaining the average daily population of 12,300 detainees in BOP facilities.
- Since BOP has no plans to construct additional detention beds, all anticipated growth in the detention population will need to be accommodated by state/local governments and/or private facility operators. For FY 2008, the USMS will be required to house 49,845 prisoners in non-federal facilities.
- By 2008 the capacity provided by the BOP will accommodate only 19.5% of the USMS detention population. By contrast, during FY 2000, the BOP housed approximately 30% of the USMS detention population. As available capacity in State and local facilities becomes increasingly limited due to local demands, the USMS will be required to increasingly rely on the private sector to house federal prisoners. Of the 6,732 prisoner growth anticipated in the USMS detention population between FY 2006 and 2008, it is anticipated that a minimum of 31% will be housed in private correctional/detention facilities. With the increased use of private facilities, OFDT would need to detail staff to these facilities to ensure the detention facility meets established standards for confinement. Given OFDT's small permanent staff, this would be an enormous workload, especially since this function is inherently governmental and cannot be outsourced.

While increases to the average daily detainee population is outside of OFDT's direct control, we will continue to coordinate the acquisition of sufficient detention space in the most cost efficient manner. The National Repository for Detention Space Availability, first implemented in March 2004, is a resource available to OFDT, USMS and ICE to locate cost effective space. OFDT is currently enhancing and redesigning it to become the DSNetwork. This will be a one-stop eGovernment site where agencies and facility owners can: 1) contract a facility; 2) update a facility's listing; 3) discover contractual vehicle efficiency opportunities; and, 4) navigate a variety of new detention services.

Additionally, OFDT will continue the long-established partnership with the Federal Judiciary to ensure that adequate funds are available for the courts to place defendants who would otherwise be detained, into non-secure detention settings (e.g., halfway house and home confinement), with an electronic monitoring component. Use of non-secure detention is significantly less expensive than secure detention.

A.2 JPATS Transportation

JPATS is responsible for moving federal prisoners and detainees by air, including sentenced, pretrial, and deportable aliens, whether in the custody of the USMS, BOP, or the ICE, in the most cost efficient manner possible.

On October 1, 1998, JPATS began operating as a revolving fund activity with total operating costs reimbursed by customer agencies. Costs are reimbursed using a cost-per-flight-hour methodology that: identifies costs that are inclusive to each customer agency; differentiates the costs by fixed and variable rates; and, establishes the hourly cost based on large and small aircraft usage. In general, BOP and ICE do not utilize JPATS small jet aircraft; however, if the need arises for the use of a small plane, BOP and ICE will reimburse the fund for actual costs. In FY 2006, OFDT instituted San Bernadino, CA, and Grady, OK as hub locations to increase in-transit capabilities for JPATS. These actions resulted in a reduction of 4 days on transportation.

In FY 2007, the Department proposed a transfer of USMS transportation resources to OFDT, believing that oversight of both detention and transportation resources could lead to greater efficiencies and economies. The transfer included a total of \$27,935,000 in base resources. At the time, OFDT incorrectly reported that \$22,685,000 was for JPATS transportation and \$5,250,000 was for USMS district transportation in support of the JPATS airlift. Since the President’s request was formulated, with more time having passed and more actual data having been received, it is clear that the resources were disproportionately allocated. The new distribution is based on the average of the prorata spreads for fiscal years 2003 through 2006. See the detail below.

Transportation Base						
	FY 2003	FY 2004	FY 2005	FY 2006	Original FY 2007	Readjusted FY 2007
JPATS Air	\$24,575,000	\$25,287,000	\$24,597,000	\$27,254,000	\$22,685,000	24,325,000
District Support	3,866,000	3,714,000	3,982,000	3,714,000	5,250,000	3,610,000

Resources were also requested in FY 2007 for fuel increases, additional flight hours for the increase in the detainee population, and for buses to be staged in areas where efficiencies can be gained by using ground transportation instead of air. These 2007

program increases total \$3,900,000, bringing the total transportation resources to \$31,835,000.

A.3 Information Technology (IT) Infrastructure

Expanding eGovernment for the purpose of driving efficiencies within the detention community is a key strategy within the OFDT. However, one of the OFDT mission challenges is the state of technology within the detention community: multiple agencies with disparate and incompatible legacy IT systems and capabilities. Many of the data processes used by these entities are either manual or were created within a local IT environment that does not easily lend itself to electronic information sharing. Developing a strategy that aligns the operational needs of the detention community with emerging eGovernment technologies and integrating an IT Infrastructure that takes advantage of new commercial-off-the-shelf solutions while leveraging current IT assets, will assist in streamlining detention operations and reducing costs. To accomplish these goals, OFDT is developing a comprehensive IT environment that addresses the business requirements of detention operations, establishes the foundation for future technology requirements, and integrates enterprise solutions with existing legacy systems.

OFDT has established a comprehensive IT Program and funded cross-agency IT initiatives such as eDesignate and the DSNetwork. DSNetwork, in addition to providing current bedspace information to the Federal Detention Community, will soon provide “One-stop shopping” for detention facilities and services such as:

- Electronic Intergovernmental Agreements (eIGA) – e-government application and contractual initiation process that enables jailers and the government to establish IGAs via technology.
- Detention Services Schedule, (DSS) – A concept similar to the GSA schedule that focuses on detention bed space and services.
- An Automated Multi-year Acquisition Plan, (MAP) - available for detention agency utilization for long-range planning.

OFDT’s IT base is being established in FY 2008. The IT investments outlined were pilot projects funded from the OFDT operating budget. Now that these pilots are proven, OFDT is migrating to production across agencies within the judicial districts. In that these systems directly drive efficiencies in detention operations and processes, the savings realized to the overall detention account will be reinvested to sustain and improve these technology programs.

The following represents OFDT’s Information Technology Program Base:

Information Technology Base	
Detention Services Network (DSN) formerly the <i>Nat'l Repository</i>	1,035,000
OFDT Workflow Systems (OWS)	338,000
IT Maintenance, Development, Security	400,000
Reimbursable Agreement - IT Support- Mgmt & Oversight of Critical Projects – OCIO	125,906
Reimbursable Agreement - E-Gov – OCIO	317,520
Reimbursable Agreement - IT Security- OCIO	31,832
IT Division Salaries	385,000
Total	\$2,633,258

B. PERFORMANCE AND RESOURCES TABLE

Decision Unit: Office of the Federal Detention Trustee												
DOJ Strategic Goal/Objective(s): 4.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing.												
4.1 Ensure the appearance of criminal defendants for judicial proceedings or confinement												
Workload/Resources		Final Target		Actual		Estimate		Changes		Requested (Total)		
		FY 2006		FY 2006		FY 2007		Current Services Adjustments and FY 2008 Program Change		FY 2008 Request		
Workload: Total Average Daily Population:		58,362		56,413		61,816				63,145		
State & Local Gov't (IGA) Facilities		---		36,620		40,240				40,819		
Private Facilities		---		6,943		8,276				9,026		
Subtotal Non-Federal Facilities		46,362		43,563		48,516				49,845		
Federal (BOP) Facilities		12,000		11,888		12,300		0		12,300		
Non-Paid Beds		---		952		1,000		0		1,000		
Total Costs and FTE		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
(Reimbursable FTE are included, reimbursable costs are bracketed and not included in the total)		21	1,161,967	21	1,125,067	21	1,289,566	...	4,660		1,294,226	
Type/ Strategic Obj.	Performance/Resources	FY 2006		FY 2006		2007 President's Budget		Current Services Adjustments FY 2008 Program Change		FY 2008 Request		
DOJ SO 4.3		Resources	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	Detention Services	Direct:	...	1,153,936	...	1,153,936	...	1,248,523	...	88,020	...	1,252,719
		Support:	21	8,031	21	8,031	21	9,208	...	464	21	9,672
		Total:	21	1,161,967	21	1,161,967	21	1,257,731	21	88,484	21	1,262,391
Performance Measure	# Paid Jail Days - IGA	Total		13,588,950		14,514,590		120,085		14,634,675		
Performance Measure	# Paid Jail Days - Private	16,922,130		2,602,085		3,193,750		365,000		3,558,750		
Efficiency Measure	Per Day Jail Cost (Non-Federal)	\$63.35		\$62.73		\$67.09*		+\$2.30		\$69.39		
Efficiency Measure	Health Care Cost Per Capita (Non-Federal)	\$1,796		\$1,820		\$1,817		+\$111		\$1,928		
Performance Measure	# Targeted Non-Federal Facility* Reviews Completed	65% 13 of 20		100% 20 of 20		22		2		24		
DOJ SO 4.1		Resources	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	JPATS Transportation	Direct:	-	-	-	-	-	31,835	-	-	-	31,835
		Support:	-	-	-	-	-	-	-	-	-	-
		Total:	-	-	-	-	-	-	31,385	-	-	-
Workload Measure	# Transportation Moves of USMS Prisoners - Air	61,055		61,245		65,603		+1.312		66,915		
Workload Measure	# Transportation Moves of USMS Prisoners - Ground	82,274		81,703		86,832		+1,302		88,134		
Performance Measure	Reduce "Wait Time" Designation to Commitment	20		16		17		-2		15		
OUTCOME Measure(New)	Per Day Detention Cost	\$68.27		\$67.72		\$72.07		+\$2.60		\$74.67		
OUTCOME Measure(New)	Targeted Non-Federal Facilities Meeting Min Stds	65% 13 of 20		90% 18 of 20		86% 19 of 22		2% 2 of 24		88% 21 of 24		
OUTCOME Measure(New)	Transportation Unit Cost	N/A		N/A		N/A		N/A		Hold unit costs below inflation		

* The FY 2007 target revision was required to accommodate the proportionate increase in the use of private facilities as well as increases in the cost of related services as discussed previously.

PERFORMANCE MEASURE TABLE

Decision Unit: Office of the Federal Detention Trustee

Workload		FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006		FY 2007	FY 2008
		Actual	Actual	Actual	Actual	Actual	Actual	Estimate	Actual	Estimate	Estimate
Non-Federal (IGA and Private)		24,578	26,107	28,958	33,094	37,752	41,770	46,062	43,563	48,516	49,845
Federal (BOP)		10,329	11,017	11,350	11,354	11,848	12,351	12,300	11,898	12,300	12,300
Non-Paid Beds		---	---	---	---	---	---	---	952	1,000	1,000
Total ADP		34,907	37,124	40,308	44,448	49,600	54,121	58,362	56,413	61,816	63,145
% Change (from Prior Year)		+8.6%	+6.4%	+8.6%	+10.3%	+11.6%	+9.1%	+7.8%	+4.2%	+9.5%	+2.1%
Performance Report & Performance Plan Targets		FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006		FY 2007	FY 2008
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	# Paid Jail Days - IGA	N/A	N/A	N/A	N/A	N/A	N/A	16,922,130	13,588,950	14,514,590	14,674,404
Performance Measure	# Paid Jail Days - Private	N/A	N/A	N/A	N/A	N/A	N/A		2,602,085	3,193,750	3,568,500
Efficiency Measure	Per Day Jail Costs (Non-Federal)	\$56.53	\$59.01	\$60.07	\$60.87	\$61.87	\$61.92	\$63.35	\$62.73	\$67.09	\$69.39
New Efficiency Measure	Health Care Cost Per Capita (Non-Federal)	N/A	\$1,522	\$1,640	\$1,495	\$1,529	\$1,610	\$1,796	\$1,820	\$1,817	\$1,928
New Performance Measure	# Targeted Facility Reviews (Non-Federal) (New Quality Assurance Program)	N/A	N/A	N/A	N/A	N/A	N/A	65% 13 of 20	100% 20	22	24
New Workload Measure	# Transportation Moves of USMS Prisoners - Air	N/A	N/A	N/A	57,465	61,188	59,227	61,055	63,353	65,603	66,915
New Workload Measure	# Transportation Moves of USMS Prisoners - Ground	N/A	N/A	N/A	67,397	74,061	78,033	82,274	81,584	86,832	88,134
New Performance Measure	Reduce "Wait Time" in Detention from Designation to Commitment	N/A	N/A	N/A	N/A	21	20	20	16	17	15
New OUTCOME Measure	Per Day Detention Cost (Non-Federal)	N/A	\$63.18	\$64.56	\$64.97	\$66.06	\$66.33	\$68.27	\$67.72	\$72.07	\$74.67
New OUTCOME Measure	Facilities Meeting Minimum Stds (Non-Federal) (New Quality Assurance Program)	N/A	N/A	N/A	N/A	N/A	N/A	65% 13 of 20	90% 18 of 20	86% 19 of 22	88% 21 of 24
New OUTCOME Measure	Transportation Unit Costs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Hold unit costs below inflation

Data Definitions, Validation, Verification, and Limitations:

Performance Measure: Paid Jail Days (IGA and Private)

Data Definition: Total number of prisoners housed by the USMS in non-federal detention facilities on a daily basis. IGA jail days represent the number of prisoners housed on a daily basis in facilities operated by state and/or local governments. Private jail days represent the number of prisoners housed on a daily basis in facilities operated by non-governmental entities (such as for-profit corporations).

Data Collection and Storage: Data describing prisoners booked and taken into custody by the USMS are maintained by the USMS in their Prisoner Tracking System (PTS). Aggregate statistics describing the number of prisoners housed in each detention facility utilized by each of the 94 districts are reported to OFDT on a daily basis. OFDT compiles reports describing the detention population on a weekly and monthly basis. Data are reported on both district and national levels.

Data Validation and Verification: Data reported to OFDT are validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the USMS.

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 key-punching of those events into the PTS system. Accordingly, it is often necessary to delay reporting of official statistics several weeks to ensure that prisoner movement records have been properly updated.

Performance Measure: Per Day Jail Cost

Data Definition: Actual average price paid (over a 12-month period) by the USMS to house federal prisoners in non-federal detention facilities. IGA jail cost represents the average cost paid by the USMS to house prisoners in facilities operated by state and/or local governments. Private jail costs represent the average cost paid by the USMS to house prisoners in facilities operated by non-governmental entities (such as for-profit corporations). Average price paid is weighted by actual jail day usage at individual detention facilities.

Data Collection and Storage: Data describing the actual price charged by state, local, and private detention facility operators is maintained by the USMS in their Prisoner Tracking System (PTS) and it is updated on an as-needed, case-by-case basis when rate changes are implemented. Rate information for specific facilities is maintained by USMS headquarters staff. In conjunction with daily reports to OFDT of prisoners housed, OFDT compiles reports describing the price paid for non-federal detention space on a weekly and monthly basis. Data are reported on both district and national levels.

Data Validation and Verification: Data reported to OFDT are validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the USMS.

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 key-punching of those events into the PTS system. Accordingly, it is often necessary to delay reporting of official statistics several weeks to ensure that prisoner movement records have been properly updated.

Performance Measure: Health Care Cost Per Capita

Data Definition: Cost of health care services provided to federal prisoners under the custodial jurisdiction of the USMS. Total health care costs include the costs of health services provided by medical practitioners, medical guard services, and transportation of prisoners for medical services. Per capita health care costs are determined by dividing total health care expenditures for the reporting period by the average daily prisoner population for that reporting period.

Data Collection and Methodology: Data describing funds obligated for prisoner health care services are reported to OFDT by the USMS through reports generated from the USMS STARS financial system.

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

Data Limitation: Data reported reflect the anticipated cost of services provided to USMS prisoners. In the event that the actual cost is different from the anticipated cost, additional funds may need to be obligated or obligated funds, de-obligated. Because of 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 dispositively determined.

Performance Measure: Per Day Detention Cost

Data Definition: Total detention costs represent the aggregation of paid jail costs and health care costs on a per capita, per day basis.

Data Collection and Storage: See, Paid Jail Costs and Health Care Costs, above.

Data Validation and Verification: See, Paid Jail Costs and Health Care Costs, above.

Data Limitations: See, Paid Jail Costs and Health Care Costs, above.

Performance Measure: Targeted Non-Federal Facilities Reviews and Targeted Non-Federal Facilities Meeting Minimum Standards

Data Definition: Targeted Non-Federal Facilities: Includes all Private Facilities, all high volume (ADP>500) State and Local Government (IGA) Facilities, and all agency requested facility reviews. Percentages are based on the number of facilities existing during the fiscal year (as noted).

Data Collection and Storage: Data describing the facility ratings and standards that are met by the individual facilities will be maintained in the FRMS system. In conjunction with the QAR reviews, state, local, and other agency inspection reports will be maintained.

Data Validation and Verification: Data reported to OFDT are validated and verified against QAR reports, repository information, state, local or other agency reported data (i.e. BOP Sentry, USMS PTS).

Data Limitations: Data reported often reflect a delay in reporting due to reporting systems not accessible to OFDT.

Performance Measure: Transportation Moves (Air and Land)

Data Definition: A prisoner transportation movement represents a single leg of a transport between the point of origin and the final destination; multiple movements may be required to transport a prisoner to his destination. Air movements are transports involving a JPATS operated aircraft; excluded are commercial charters. Ground movements are transports involving a bus or other vehicle.

Data Collection and Storage: Data describing prisoner transportation movements are maintained by JPATS in their APPS. These data are currently reported to OFDT on a quarterly basis as part of quarterly and annual reports describing the activities of JPATS.

Data Validation and Verification: Transportation movement data are reported to OFDT by JPATS.

Data Limitations: Data are limited to movements of prisoners conducted by JPATS and do not include in-district movements coordinated by USMS district offices without the assistance of JPATS.

Performance Measure: Transportation Unit Cost (the data definitions and costing methodology for this measure is currently under development)

Data Definition: Inflation as it relates to Transportation Unit Cost includes standard inflation as well as adjustments for fuel increases.

Data Collection and Storage: TBD

Data Validation and Verification: TBD

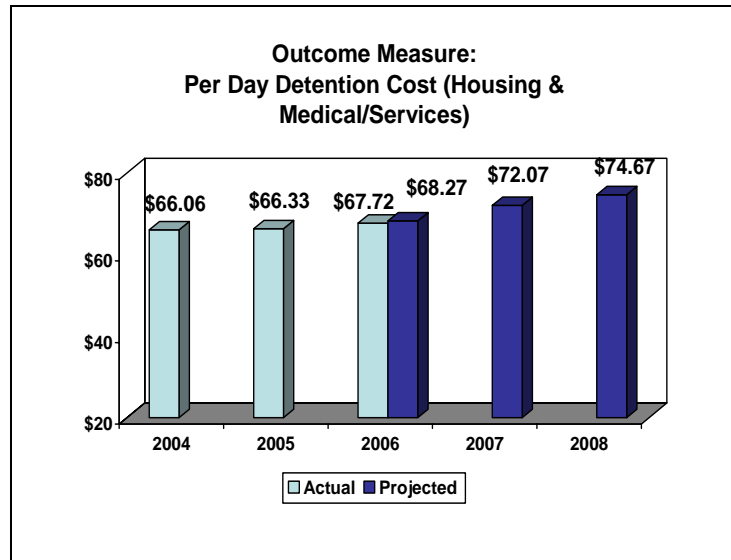
Data Limitations: TBD

B. Strategic Objectives, Challenges, Strategies, and Performance

Program Activity: Detention Services

OFDT Strategic Goal 1: Meet the Nation's Detention Requirements in the most economical manner

To measure success toward achieving this strategic goal, OFDT established a performance goal of holding per day detention costs at or below the rate of inflation. This chart reflects the targeted level required to achieve that goal. The discussions below specify the mission challenges and strategies required to make the targeted level attainable. In addition, the graphs depict the specific performance level required for each contributing initiative.



Performance Report:

Measure: Per Day Detention Cost (Housing and Medical Services)

FY 2006 Target: \$68.27

FY 2006 Actual: \$67.72

Strategic Objective 1.1: Ensure adequate detention space

Challenge: Adequate Detention Beds

Historically, State and local government detention facilities have provided over 60 % of the total federal detention space. However, in many cities, State and local governments are requiring more of their available capacity to house their own prisoners leaving fewer facilities available to accommodate federal detainees. This saturation of State and local facilities forces an increased reliance on private facilities that are historically higher in cost. For example, the Bureau of Justice Statistics (2005) indicated that on June 30, 2004, the Nation's local jails were operating at 94% of available capacity, on average. Of the 50 largest jail jurisdictions, 21 were operating above their rated capacity. Some of these facilities were located within areas with the greatest federal need, *e.g.*, Arizona, Baltimore-Washington Metropolitan Area, Central District of California, Southern District of California, Middle District of Florida, New Mexico, and the Western District of Texas.

Strategy: Maximize the use of available bedspace via the DSNetwork

OFDT will ensure the ability to maximize the use of available bedspace by expanding the capabilities of the Detention Services Network (DSNetwork). The original goal of the DSNetwork (as the National Repository) was to serve as a vehicle for State and local governments and private detention bedspace providers to electronically post the availability of detention bedspace and related services for federal use. The DSNetwork's goals have been enhanced to include, on a real-time basis, a full-service detention housing tool to monitor detention bedspace usage and to allow for oversight of non-federal facility contracts and services. As a consolidated detention services site, the DSNetwork will also provide a vehicle for automated processing of IGAs, provide a Detention Services Schedule, post detention facility review information, and house other detention services and procurement data for agencies to assess, monitor and manage detention bedspace.

Performance and Budget Impact:

This initiative will allow field agencies increased flexibility to determine the best value to the Government by better leveraging available space, transportation, and care capabilities. It will result in securing beds and related services easier and faster and is vital to maintaining detention costs below inflation levels.

Strategy: Multi-year Acquisition Plan (MAP)

The OFDT is strategically planning detention procurement needs utilizing MAP. An effective MAP will provide a foundation to identify the agencies' anticipated bedspace needs and the impact the bedspace requirements will have on OFDT. In addition, the MAP will provide OFDT with the ability to consolidate and coordinate bedspace and find the most effective detention space.

Performance and Budget Impact:

The MAP will allow future rate increases to be planned, eliminate discretionary negotiations for actual costs, and help determine the amount needed in future budget requests. As a result, MAP will create a unified process which will lead to equality in rates.

Challenge: Reliable Population Projections

DOJ, acting through both the USMS and OFDT, has historically had difficulty projecting the size of future detention populations. These difficulties have primarily resulted from the agencies' inability to reliably forecast the number of persons to be arrested by federal law enforcement. OFDT recognizes that reliable projections for the detainee population will not be achievable without identifying measurable and accurate leading indicators and incorporating those into the projection methodology. Such leading indicators include (1) increases in the number of new law enforcement officers and assistant U.S. attorneys, and (2) an understanding of future law enforcement initiatives that would increase the number of arrests/bookings and/or the types of cases prosecuted by U.S. Attorneys, e.g., the President's initiative on the border and immigration and the Attorney General's initiatives concentrating on drug offenders and child pornographers. Such increases in

resources and new law enforcement initiatives need to be better coordinated to provide a clear nexus between planned law enforcement initiatives and subsequent detention needs.

Strategy: Improve the accuracy of projections

Specific approaches to improving this data include: *identifying key detention indicators* from U.S. Government components that affect detention and integrating them into current detention forecasting models; *analyzing case law and proposed legislation* to determine the impact on future detention population trends; and, *refining the detention population forecasting model* to more effectively merge trend analysis with out-year projections, thereby reducing the degree of error at budget formulation and submission points.

Program Highlight: US Attorney Survey

Beginning in 2005, OFDT, coordinating with the BOP, EOUSA, and the Office of the Deputy Attorney General, initiated an annual survey of the U.S. Attorneys to ascertain their input on expected criminal caseloads and substantial “environmental” factors that affect caseload and case processing time. The data collected as part of this survey are incorporated into OFDT’s detention population projection model to inform and validate projection of future arrests based on statistical methods.

Performance and Budget Impact:

ADP projections are the linchpin of all OFDT operations and resource planning. Data accuracy clearly impacts all OFDT performance and resource requirements.

Challenge: Insufficient bedspace at mission critical locations

Currently, JPATS uses a single transfer Federal Transfer Center (FTC) which often operates at full capacity. When the facility is unable to process additional incoming prisoners, delays are created that retard prisoner movements in other districts.

Strategy: Increase bedspace in mission critical locations

By increasing in-transit housing capabilities, JPATS will be able to move prisoners faster, resulting in a decrease in the number of days in detention

Program Highlight: In – transit facility - Grady

County Detention Center

Historically, JPATS’s capability to route USMS prisoners through Oklahoma City for transfer and commitment to BOP has been limited by the capacity of *FTC Oklahoma*,



Grady County Detention Center, Oklahoma

particularly for female prisoners. OFDT facilitated the identification and implementation of Grady for use as an overflow facility for *FTC Oklahoma* – one that has a substantial number of beds for female prisoners. JPATS has since been able to increase the number of prisoner movements routed through Oklahoma City. Increased prisoner movements have the effect of reducing detention time for sentenced offenders. This accomplishment addresses the transportation needs and infrastructure challenges.

Performance and Budget Impact:

Reducing the number of days in detention has an obvious and direct impact on detention costs and the efficiency measure of Per Day Jail Cost and the outcome measure of Per Day Detention Cost.

Strategic Objective 1.2: Ensure efficient use of detention space and minimize price increases

Challenge: Projection of IGA Increases

The Department of Justice utilizes the IGAs to establish the relationship with a State or local government for the use of excess bedspace at a per diem rate established pursuant to OMB Circular A-87. Per diem rates are subject to change. Accordingly, when a State or local government wants a rate adjustment, the agency submits amended cost information to the Department of Justice. Historically, it was unknown how many or at what frequency the State or local governments would request such an adjustment or the magnitude of the adjustment, making it difficult to project rate increases for budgeting purposes other than through historical trends.

Strategy: Fixed-Rate IGA agreements (Core rate program)

To address this challenge, OFDT has developed a core fixed-rate IGA plan. The IGA establishes a standardized pricing strategy for procuring detention services from State and local governments. This will allow for more accurate budget projections and bedspace requirements for out-years.

Performance and Budget Impact:

This effort contributes to the overall performance goal of holding costs at or below inflation levels and the achievement of related performance measures

Strategy: Reduce prisoner processing time (via: eDesignate)

Developed by OFDT, *e-Designate* provides for a more efficient workflow between the U.S. Probation offices, the USMS, and the BOP during the sentence-to-commitment process. Operationally, *e-Designate* accelerates the movement of prisoners from detention to BOP facilities thereby reducing the number of days in detention and the corresponding pressure on appropriated resources. . In addition, *e-Designate* also reduces workload of agency personnel involved in the administratively taxing designation process. To date, *e-Designate* has been implemented in the federal

judicial districts of Arizona, Southern California, Maryland, New Mexico, Southern Texas, Montana, Oregon, Northern California, Idaho and Eastern Washington. In the District of Arizona, implementation of e-Designate has resulted in the reduction in detention time from sentencing-to-designation from an average of 41 days during FY 2004 to 22 days during FY 2005 with an associated cost avoidance of approximately \$6 million. The roll-out of eDesignate is scheduled to be complete by the end of FY 2007.

Reduction in Number of Days in Detention and Corresponding Detention Cost Avoided						
	2004 Actual	2005 Actual	2006 Target	2006 Actual	2007 Target	2008 Target
Sentencing to Designation	27	27	27	28	27	26
Designation to Commitment	21	20	20	16	17	15
Total # Days Post Sentencing	48	47	47	44	44	41
# Days Reduced	N/A	1	0	3	0	3
Detention Cost Avoided* (\$000)	N/A	\$2,892	0	\$13,051	0	\$22,008

Program Highlight: Short Term Sentences

Historically, sentenced prisoners along the Southwest Border with less than 180 days left on their sentences served their sentences in detention facilities with the detention cost being borne by the USMS. In coordination with the BOP, OFDT has established procedures for identifying prisoners with short-term sentences in the districts of Arizona, Southern Texas, and Western Texas, and expediting their transfer to the BOP.

Performance and Budget Impact:

As discussed previously, eDesignate has been highly effective in reducing potential detention costs by reducing the number of days in detention. The impact on performance, efficiency, and outcome measures is obvious. Another example is the initiative to reduce post-sentence time-in-detention, in which the in-transit facility in Grady, Oklahoma, is a part. Through that initiative, time-in-detention is expected to be reduced by an average of 4 days nationwide.

Strategy: Maximize use of most cost effective space via full BOP bed utilization

The BOP is appropriated for and has been provided beds for detention. Historically, the beds were provided in specific facilities. However, in December 2004, OFDT reached an agreement with the BOP whereby the USMS could place detainees in any available BOP beds nationwide, allowing the USMS to use an additional 123 beds per day.

Performance and Budget Impact:

The FY 2006 and 2007 budgets are based on maximizing utilization of BOP bedspace by maintaining the average daily population of 12,300 detainees in BOP facilities. As noted in the performance and resources table, all performance measures are based upon BOP bed space at the 12,300 level. This assumption provides the basis for the targets in the performance measure Number of Paid Jail Days, the efficiency measure of Per Day Jail Cost, and the outcome measure of Per Day Detention Cost.

Strategy: Increase use of detention alternatives

OFDT will continue to provide funding to the Federal Judiciary to support alternatives to pretrial detention such as electronic monitoring, halfway house placement, and drug testing and treatment. During FY 2005, OFDT provided the Judiciary \$1.7 million which supported detention alternatives for 3,065 criminal defendants who were supervised a total of 454,325 days. In FY 2006, OFDT increased alternative funding to the Judiciary to \$4.0 million. Of this amount, the Judiciary utilized \$2.6 million, delivering 2,644 defendants from detention to pretrial release. This diversion resulted in a cost avoidance of approximately \$28.2 million.

Performance and Budget Impact:

In FY 2005 alone, if the defendants who were in the detention alternative program were detained in secure facilities, the Federal Detention Account would have incurred additional detention costs of approximately \$28 million. The success of these initiatives is critical to achieving the performance targets for the Number of Paid Jail Days (IGA and Private) and to a lesser extent the targets for the Per Day Jail Rate and Per Day Detention Cost performance targets.

Performance and Budget Impact of all strategies:

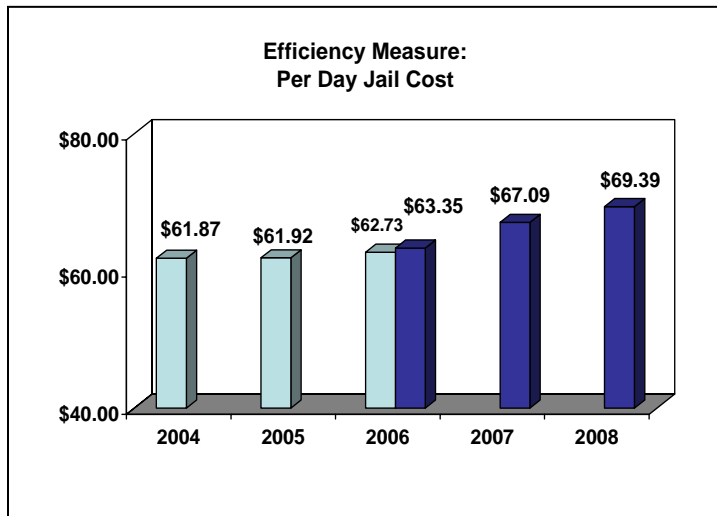
As stated above, each of these program initiatives under Strategic Objective 1.1 contributes to achievement of the efficiency measure of per day jail cost.

Performance Report:

Measure: Per Day Jail Cost

FY 2006 Target: \$63.35

FY 2006 Actual: \$62.73



Strategic Objective 1.3: Ensure adequate medical services are provided in the most economical manner

Challenge: Rising Medical Costs

An important facet of the conditions of confinement is ensuring the appropriate medical care for detainees at or near detention facilities. The challenge is to provide a uniform approach to these services at the best value to the government and to reduce the cumbersome process for field operations.

Strategy: National Medical Contract

To the extent possible, the USMS is leveraging a re-pricing strategy to achieve the best practice. However, a national medical contract will provide a uniform, systematic approach that will reduce staff work hours and track medical savings nationwide. Accordingly, OFDT is in the process of establishing and awarding a national medical contract to meet the needs of the USMS, the legislative requirements of Medicare and Medicaid, and the Federal Acquisition Regulations.

Performance and Budget Impact:

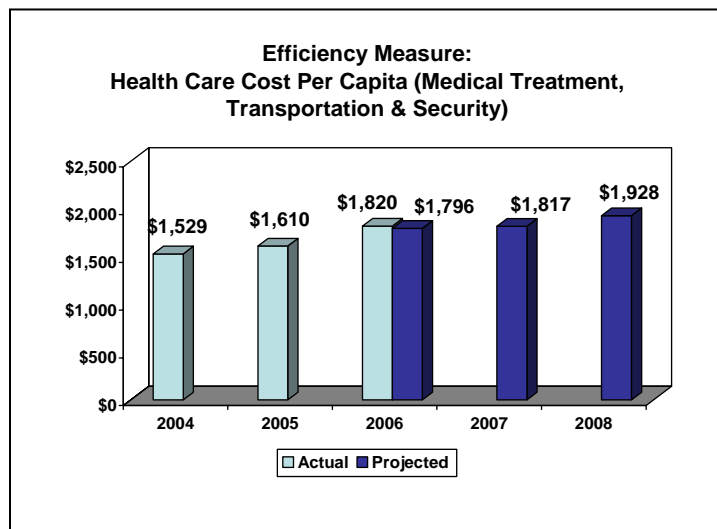
This effort will contribute directly to the efficiency measure and goal of holding medical costs at or below inflation level (for medical services).

**Performance Report:
Measure: Health Care Cost Per Capital (Medical Treatment, Transportation and Security)**

FY 2006 Target: \$1,796

FY 2006 Actual: \$1,820

Discussion: Although the target was exceeded slightly, it did not have an impact on the overall detention rate. The amount of overage (+1.3%) is not considered significant.



OFDT Strategic Goal 2: Ensure safe, secure, and humane confinement

To measure success toward achieving this strategic goal, OFDT established a performance goal of ensuring that 100% of all private detention facilities meet minimum standards annually and 100% of high volume IGA facilities meet minimum standards by FY 2008. The discussions below specify the mission challenge and strategies required to make the targeted levels attainable.

Strategic Objective 2.1: Ensure detention facilities meet established standards

Challenge: Varying Detention Standards

Concurrent with the desire to create efficiencies within detention is the need to ensure facilities can provide for the safe, secure, and humane confinement of detainees. This is especially challenging considering the vast number (over 1,900) of state, local, and private facilities in use. The standards for confinement of these facilities vary as there is no unified set of standards that all facilities are required to adhere to. Therefore, it is difficult to ensure that the facilities that provide detention bedspace to the Federal government meet a minimum condition of confinement standard.

Strategies:

Adherence to National Detention Standards via Performance Based Contracts

To ensure adequate and acceptable conditions of confinement, OFDT implemented Federal Performance-Based Detention Standards (FPBDS). The FPBDS, developed in cooperation and coordination with the BOP, USMS and ICE, provide a system of objective checks and balances to ensure that all providers achieve and maintain the standards while ensuring the Government receives the quality services for which it paid. Federal contract vehicles will be written or modified to reflect the FPBDS for all private contract facilities and high-volume (ADP >500) State and local facilities. Private contractor performance evaluation and compensation will be based on each facility's ability to demonstrate alignment with the standards.

Implementation of the Quality Assurance Program

The comprehensive Quality Assurance Review Program includes assessment, follow-up, and training to ensure that the safe, secure, and humane confinement criteria are met, as well as to address Congress' concerns for public safety as it relates to violent prisoners (*e.g., Interstate Transportation of Dangerous Criminals Act, also known as Jenna's Act*). The goal of the Quality Assurance Program is to conduct reviews for 100% of Targeted Non-Federal Facilities, defined as all private facilities, all high volume (ADP >500) IGA facilities, and all agency requested reviews. The reviews will identify detention facility deficiencies and financial weaknesses related to

delivery of contract services and necessary actions to correct those concerns. OFDT will track the resolution of those deficiencies.

Performance and Budget Impact

The effectiveness of this program is essential to assuring facilities meet the Federal Performance-Based Detention Standards as shown in the outcome above.

Outcome Measure: Percent of Targeted Non-Federal Facilities Meeting Minimum Standards				
Facility Type	2006 Target	2006 Actual	2007 Target	2008 Target
IGA (ADP>500)	36% (4 of 11 facilities)	81% (9 of 11 facilities)	85% (11 of 13 facilities)	85% (11 of 13 facilities)
Private	100% (9 of 9 facilities)	100% (9 of 9 facilities)	89% (8 of 9 facilities)	91% (10 of 11 facilities)
Total Targeted Non Federal	65% (13 of 20 facilities)	90% (18 of 20 facilities)	86% (19 of 22 facilities)	88% (21 of 24 facilities)

Performance Report:

Measure: Percent of Targeted Non-Federal Facilities Meeting Minimum Standards

FY 2006 Target: 13 of 20 (65%)

FY 2006 Actual: 18 of 20 (90%)

Program Activity: JPATS Transportation

OFDT Strategic Goal 3: Increase the efficiency of the JPATS

To measure success toward achieving this strategic goal, OFDT established a performance goal of holding detention transportation costs at or below inflation. However, the methodology for capturing the data has not yet been determined. The milestones leading the attainment of this goal are indicated below. The discussions that follow specify the mission challenge and strategies required to make the targeted level attainable.

Outcome Measure: Transportation Unit Cost Milestones	
2007 Targets	2008 Targets
Define Transportation Unit Cost and Data Collection Methodology Establish Baseline Test/Refine Methodology Resolve data quality issues	Calculate Impact of strategies to unit cost Target < (2008 unit costs X inflation)
Implement Strategies	

Strategic Objective 3.1: Move prisoners faster within available resources

Challenge: Increasing demands on limited resources

As stated previously, the demand for transportation increases with the detainee population. With limited resources and uncontrollable increases in fuel prices, OFDT must look for innovative solutions to create greater efficiency within the current infrastructure.

Reduction in “Wait Time” in Detention from Designation to Commitment						
Designation to Commitment	2004 Actual	2005 Actual	2006 Target	2006 Actual	2007 Target	2008 Target
	21	20	20	16	17	15

Strategies:

Reduce “choke points” for in-transit prisoners

As stated previously, a critical on-going weakness for JPATS is insufficient bed space at key “choke points” for in-transit prisoners. OFDT plans to expand upon the successful strategy used in FY 2005 in Grady County, Oklahoma, where an underused local jail facility relieves the bottleneck.

Maximize efficiency of the transportation system

OFDT will lead and facilitate a thorough review of all JPATS scheduling (e.g., ground, air) processes and procedures to determine potential transportation efficiencies. One area under consideration is a shift in the balance of land to air moves, with the goal of maximizing air moves for longer distances and ground moves for less lengthy moves. This however, requires a further analysis of capabilities, the impact of detention locations, and choke points. This capability is necessary to support the outcome measure: Transportation Unit Costs, which is currently under development.

Performance and Budget Impact: The cost savings for reducing “choke points” is captured in the discussion of Strategic Objective 1.2 above.

C. Discontinued Measures

Rate of Assaults (Federal Detention)

This measure is being discontinued as it is cost prohibitive to develop a reliable data collection methodology. However, the newly implemented (FY 2006) Quality Assurance Program will provide detention facility oversight to ensure conditions of confinement are safe and humane. All deficiencies will be closely monitored to the point of correction. The success of these efforts is captured in the Outcome Measure: Percent of Targeted Non-Federal Facilities Reviews Meeting Minimum Standards shown above.

Number of Escapes During Confinement in Federal Detention

This measure is also being discontinued. Upon review it is evident that this measure is much too stringent for detention facilities that are not intended nor constructed to address high security requirements (such as the BOP facilities). While every effort is made to ensure security, a minimum number of escapes are unavoidable under these conditions. Eliminating this measure will not in anyway lessen the ongoing efforts of OFDT and USMS to ensure that every inmate is accounted for and that security measures and practices are in place to minimize escapes and protect the community.

Performance Report:

Measure: Number of Escapes During Confinement in Federal Detention

FY 2006 Target: 0

FY 2006 Actual: 11

Discussion: In FY 2006, there were 11 escapes from detention custody. Three detainees escaped from local jails, one from a medical facility, and one during transportation. All of these 5 escapees were “recaptured” within a relatively short period of time. The remaining six escapes occurred at the East Hidalgo Detention Center, Hidalgo, TX. The escapes appeared to be coordinated and occurred when a Guard did not properly secure man-trap doors that separated prisoner area from the pod lobby. Two of escapees exited through these doors and overpowered the guard with a shank and tied him up. They then summoned the four other escapees who had in their possession a cell phone and wire cutters. These were smuggled into the facility by a commissary worker for \$240. The six escapees exited the pod and cut through four electric (900Volt) fences. A fifth fence was cut through from the outside by an accomplice, whom it is believed was notified via the cell phone. Individuals jumped into a waiting vehicle driven by the accomplice and are believed to have fled to Mexico. The commissary worker and relatives who provided the money to the commissary worker were arrested and the Guard has been terminated.

Number of Escapes During Confinement in Federal Detention			
2003	2004	2005	2006
1	0	6	11

A: Organizational Chart

Office of the Federal Detention Trustee

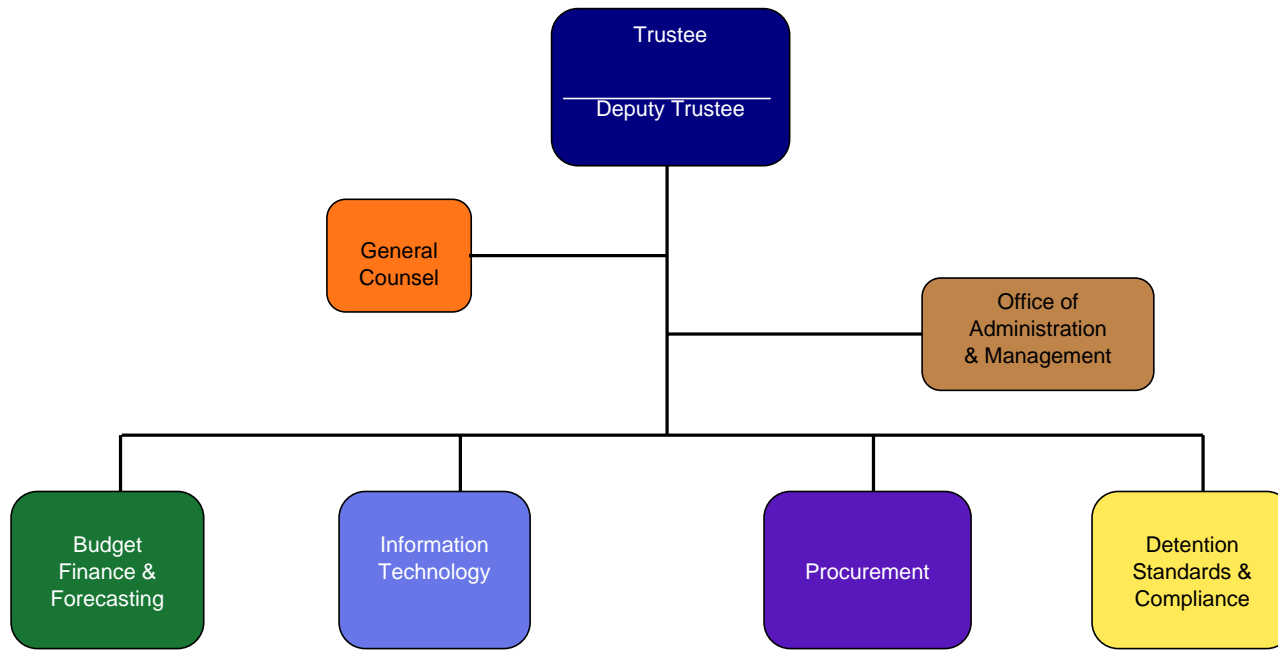


Exhibit A - Organizational Chart

B: Summary of Requirements

Summary of Requirements
Office of the Federal Detention Trustee
Salaries and Expenses
(Dollars in Thousands)

	FY 2008 Pres. Budget		
	Perm. Pos.	FTE	Amount
2006 Enacted (with Rescissions, direct only)	21	21	\$1,161,967
2006 Supplementals			
Total 2006 Enacted (with Rescissions and Supplementals)	21	21	1,161,967
2007 President's Budget (Information Only)	21	21	1,332,326
2007 Continuing Resolution Level (as reflected in the 2008 President's Budget; Information Only)	21	21	1,106,598
2007 Estimate (direct only)*	21	21	1,292,041
2007 Rescission Against Balances			(2,475)
2007 Estimate (with Rescissions)	21	21	1,289,566
Technical Adjustments			....
Restoration of 2007 Rescission Against Balances			2,475
Total Technical Adjustments	....	....	2,475
Adjustments to Base			
Increases:			
2008 pay raise (3.0%)			65
2007 pay raise annualization (2.2%)			52
Change in Compensable Days			22
Thrift Savings Plan			4
Health Insurance Premiums			11
GSA Rent			18
Medical Hospital Service Cost			5,013
Total Adjustments to Base	....	....	5,185
Total Adjustments to Base and Technical Adjustments	....	....	7,660
2008 Current Services	21	21	1,297,226
Program Changes			
Offsets			
General Savings			(3,000)
2008 Total Request	21	21	1,294,226
2007 - 2008 Total Change	....	....	4,660

* The Department of Justice 2008 budget request was built on a starting point that recognized progress in enacting the FY 2007 appropriation. The starting point used (referred to throughout this document as the "Estimate") is the average of the Senate Committee and House passed marks, less one percent, unless noted otherwise.

Summary of Requirements
Office of the Federal Detention Trustee
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2006 Enacted w/Rescissions and Supplementals			2007 Estimate			2008 Adjustments to Base and Technical Adjustments			2008 Current Services			2008 Offsets			2008 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Detention Services	21	21	\$1,150,956	21	21	\$1,257,731	....	....	\$7,660	21	21	1,265,391	....	....	-\$3,000	21	21	\$1,262,391
JPATS Transportation	....	....	11,011	....	....	31,835	....	....	....	....	....	31,835	....	....	....	....	....	31,835
Total	21	21	1,161,967	21	21	1,289,566	....	....	7,660	21	21	1,297,226	....	....	(3,000)	21	21	1,294,226
Reimbursable FTE																		
Total FTE		21			21			....			21			....			21	
Other FTE:																		
LEAP								....						....
Overtime								....						....
Total Comp. FTE		21			21			....			21			....			21	

C: Program Increases/Offsets By Decision Unit

FY 2008 Program Increases/Offsets By Decision Unit

Office of the Federal Detention Trustee

(Dollars in Thousands)

Program Offsets	Location of Description by Decision Unit	Detention Services				Total Offsets
		Pos.	Agt./Atty.	FTE	Amount	
General Savings	OFDT	....	....	....	(3,000)	(3,000)
Total Offsets		---	---	---	(\$3,000)	(\$3,000)

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
Office of the Federal Detention Trustee**
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Current Services		2008				2008 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Reimb. Other FTE	Amount \$000s	Reimb. Other FTE	Direct Amount \$000s		
Goal 4: Ensure the Fair and Efficient Operation of the Federal Justice System												
4.1: Ensure the appearance of criminal defendants for judicial proceedings or confinement	---	11,011	---	31,835	---	31,835	---	---	---	---		
4.3: Provide for the safe, secure and humane confinement of detained persons awaiting trial and/or sentencing	21	1,150,956	21	1,257,731	21	1,265,391	---	---	---	(3,000)	21	1,262,391
Total, Goal 4	21	1,161,967	21	1,289,566	21	1,297,226	---	---	---	(3,000)	21	1,294,226

E. Justification for Base Adjustments

Justification for Base Adjustments Office of the Federal Detention Trustee

Increases

2008 pay raise. This request provides for a proposed 3.0 percent pay raise to be effective in January of 2008. (This percentage is likely to change as the budget formulation process progresses.) This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$65,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$47,000 for pay and \$18,000 for benefits).

Annualization of 2007 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2007 pay increase of 2.2 percent included in the 2007 House passed bill for Treasury. The amount requested \$52,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$37,000 for pay and \$15,000 for benefits).

Changes in Compensable Days. The increased costs of two more compensable days in FY 2008 compared to FY 2007 is calculated by dividing the FY 2007 estimated personnel compensation \$2,294,000 and applicable benefits \$559,000 by 260 compensable days. The cost increase of two compensable days is \$22,000.

Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on OPM government-wide estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 3 percent per year. The requested increase of \$4,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Health Insurance. Effective January 2006, this component's contribution to Federal employees' health insurance premiums increased by 5.7 percent. Applied against the 2007 estimate of \$119,000, the additional amount required is \$11,000.

General Services Administration (GSA) Rent. GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$18,000 is required to meet our commitment to GSA.

Medical Hospital Service Cost. The Department of Health and Human Services is projecting an increase in health care cost. The Department is applying the current CPI-U factor of 5.1percent against medical expenses incurred on behalf of detainees in the Department's custody. An increase of \$5,013,000 will be required for 2008.

Note: ATBs must be recalculated following final FY 2007 action.

F: Crosswalk of 2006 Availability

Crosswalk of 2006 Availability
 Office of the Federal Detention Trustee
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	FY 2006 Enacted Without Rescissions			Rescissions			Reprogrammings / Transfers			Carryover/ Recoveries			2006 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Federal Detention Trustee	21	21	\$1,177,000	....	....	(\$15,033)	....	....	\$0	....	....	\$35,879	21	21	\$1,197,846
Reimbursable FTE		....			....			....			....			....
Total FTE		21			....			....			....			21	
Other FTE															
LEAP															
Overtime															
Total Compensable FTE		21			....			....			....			21	

Enacted Rescissions. Funds rescinded as required by the Department of Justice Appropriations Act, 2006 (P.L. 109-108) and the Department of Defense Appropriations Act, 2006 (P.L. 109-108) = .28% rescission of \$3,295,600 and \$45,000,000 from unobligated balances and (P.L. 109-148) = .1% rescission of \$11,737,044.

Carryover/Recoveries. Funds were carried over from FY 2005 from the 0136X account. The OFDT brought forward \$30,207,000 from funds provided in 2005 for detention operations and oversight and recoveries of \$5,672,000.

G: Crosswalk of 2007 Availability

Crosswalk of 2007 Availability
Office of the Federal Detention Trustee
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	2007 Estimate			Rescissions			Reprogrammings / Transfers			Unobligated Balances Carried Forward /Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Federal Detention Trust	21	21	1,289,566	....	....	\$0	....	....	\$0	....	....	\$85,908	21	21	1,375,474
Reimbursable FTE															....
Total FTE		21			....			....			....			21	
Other FTE															
LEAP															....
Overtime															....
Total Compensable FTE		21			....			....			....			21	

Unobligated Balances/Recoveries. Funds were carried over from FY 2006 from the 0136X account. The OFDT brought forward \$85,576,000 from funds provided in 2006 for detention operations and oversight and recoveries of \$332,000.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Office of the Federal Detention Trustee

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2006 Enacted			2007 Planned			2008 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Bureau of Prison	1,500	....	....	1,500	....	....	1,000	....	....	(500)
Budgetary Resources:	\$1,500	....	....	\$1,500	....	....	\$1,000	....	....	(\$500)

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category Office of the Federal Detention Trustee Salaries and Expenses

Category	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Request	
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable
Senior Executive	1		1		1	
Clerical and Office Services (300-399)	12		12		12	
Accounting and Budget (500-599)	3		3		3	
Attorneys (905)	2		2		2	
Business & Industry (1100-1199)	2		2		2	
Statistician (1530)	1		1		1	
Total	21	....	21	....	21	....
Location						
Headquarters (Washington, D.C.)	21		21		21	
Total	21	....	21	....	21	....

K: Summary of Requirements by Grade

Summary of Requirements by Grade
Office of the Federal Detention Trustee
Salaries and Expenses

Grades and Salary Ranges	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$109,808 - \$152,000	1		1		1		....
GS-15, \$107,521 - 139,774	8		7		7		....
GS-14, \$91,407 - 118,828	6		6		6		....
GS-13, \$77,353 - 100,554	5		5		5		....
GS-12, \$65,048 - 84,559	....		....		....		....
GS-11, \$54,272 - 70,558	....		1		1		....
GS-10, 49,397 - 64,213	....		....		....		....
GS-9, \$44,856 - 58,318	1		1		1		....
GS-8, 40,612 - 52,794	....		....		....		....
GS-7, \$36,671 - 47,669	....		....		....		....
GS-6, \$33,000 - 42,898	....		....		....		....
GS-5, \$29,604 - 38,487	....		....		....		....
GS-4, \$26,460 - 34,402	....		....		....		....
GS-3, \$23,571 - 30,645	....		....		....		....
GS-2, \$21,602 - 27,182	....		....		....		....
GS-1, \$19,214 - 24,029	....		....		....		....
Total, appropriated positions	21		21		21		....
Average SES Salary		\$ 165,504		\$ 170,635		\$ 174,389		
Average GS Salary		\$ 107,220		\$ 110,544		\$ 112,976		
Average GS Grade		14		14		14		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Office of the Federal Detention Trustee

Salaries and Expenses

(Dollars in Thousands)

Object Classes	2006 Actuals		2007 Estimate		2008 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	21	2,207	....	2,382	....	2,291	....	(91)
11.3 Other than full-time permanent	....	....	....	....	....	....	....	....
11.5 Total, Other personnel compensation	....	....	....	....	....	....	....	....
<i>Overtime</i>	....	....	....	....	....	....	....	....
<i>Other Compensation</i>	....	....	....	....	....	....	....	....
11.8 Special personal services payments	....	....	....	....	....	....	....	....
Total	21	2,207	....	2,382	....	2,291	....	(91)
Reimbursable FTE:								
Full-time permanent								
Other Object Classes:								
12.0 Personnel benefits		626		695		659		(36)
21.0 Travel and transportation of persons		166		247		175		(72)
22.0 Transportation of things		8		11		7		(4)
23.2 Rental Payments to Others		263		507		525		18
23.3 Comm., util., & other misc. charges		123		704		163		(541)
24.0 Printing and reproduction		8		11		7		(4)
25.1 Advisory and assistance services		5,449		7,194		5,995		(1,199)
25.2 Other services		39,726		72,742		48,794		(23,948)
25.6 Medical Care		72,529		90,874		95,329		4,455
25.8 Housing of Prisoners		1,003,052		1,199,452		1,139,960		(59,492)
26.0 Supplies and materials		83		90		61		(29)
31.0 Equipment		827		565		260		(305)
Total obligations		\$1,125,067		\$1,375,474		\$1,294,226		(\$81,248)
Unobligated balance, start of year [-]		(30,207)		(85,576)		(85,576)		
Unobligated balance, end of year [+]		85,576		85,576		85,576		
Recoveries of prior year obligations [-]		(18,469)		....		....
Total requirements		1,161,967		1,375,474		1,294,226		
Relation of Obligation to Outlays:								
Total obligations		1,125,067		1,375,474		1,294,226		
Obligated balance, start of year [+]		106,730		107,090		368,564		
Obligated balance, end of year [-]		(107,090)		(368,564)		(396,790)		
Recoveries of prior year obligations		(18,469)		....		....
Outlays		1,106,238		1,114,000		1,266,000		

M. Status of Congressionally Requested Studies, Reports, and Evaluations

Salaries and Expenses

(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

1. The Conference Report associated with the FY 2006 Department of Justice Appropriations Act directs the Detention Trustee to report on a quarterly basis the number of individuals in the detention trustee system, the projected number of individuals, and the annualized costs that are associated with them.

