

United States Marshals Service FY 2027 Performance Budget

President's Budget

Federal Prisoner Detention Appropriation



April 2026



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I. Federal Prisoner Detention Appropriation Overview

A. Introduction

The United States Marshals Service (USMS) Federal Prisoner Detention (FPD) appropriation provides housing, transportation, and care for Federal detainees housed in non-Federal detention facilities. The USMS requests \$2,996,363,000 for FPD in fiscal year (FY) 2027.

USMS Federal Prisoner Detention			
	Positions	FTE	Amount (\$000)
FY 2025 Enacted	42	42	\$2,236,000
FY 2026 Enacted	42	42	\$2,236,000
FY 2027 Request	0	0	\$2,996,363

Electronic copies of the Department of Justice’s (DOJ’s) Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from: <https://www.justice.gov/doj/budget-and-performance>.

B. Background

The FPD appropriation pays for costs associated with the care and custody of Federal detainees in State, local, and private facilities. The USMS is required to house all detainees remanded to the custody of the Attorney General and must ensure sufficient resources are available for their housing and care. The USMS is operationally and financially responsible for Federal detainees from the time they are ordered by the Federal judiciary to be remanded into custody for the duration of their criminal proceedings until the time they are adjudicated innocent or until sentenced and delivered into the custody of the Federal Bureau of Prisons (BOP) to serve their sentence. The USMS does not control the number of detainees received into its custody nor the duration of their stay. The sole purpose of the FPD appropriation is to provide housing, security, and medical care for those remanded to the custody of the Attorney General during Federal criminal proceedings.

The FPD estimated budget requirement for any given fiscal year is based on statistical projections using the most current detainee population information available at the time the estimate is prepared. The FPD budget request is developed using three steps: (1) estimate cost changes affecting current services levels (i.e., housing, medical care and guard services, and transportation increases at the current population level); (2) project detainee population changes; and (3) estimate detention costs associated with the population change. In FY 2025, the detention population fell slightly below projections due to lower-than-expected detainees received. Although the population was lower, detention expenses increased because of a rise in

the daily cost to house and care for detainees. For FY 2026, the detention population is expected to remain flat although increased labor expenses will drive up the cost of detention.

To develop the FY 2027 budget request, the USMS carefully examined current population and future projections, known law enforcement and prosecutorial trends, and the potential impact of Administration and DOJ initiatives involving criminal justice system reform. While this request reflects known priorities established within the DOJ, it does not reflect priorities from other Cabinet departments, law enforcement agencies, or litigating components. In addition, the request considers the impact of inflation as it relates to increased costs for prisoner housing, guards, and medical care. Given these factors, the USMS believes the Federal detention population will increase significantly in FY 2027 as compared to FY 2026. Expenses for prisoner detention are expected to increase in line with inflationary indices.

Projecting the Detainee Population: Projecting the detention Average Daily Population (ADP) is a challenging exercise due to the complexity and dynamic nature of the variables used to calculate projections. For example, detention projections are calculated using reliable trend analyses comprised of several leading indicators that are factored into the projection with a significant degree of accuracy, such as booking offense, time-in-detention, law enforcement, and attorney staffing levels. Due to the fluid nature of the detention environment, population projections are in a constant state of flux; they require both constant monitoring and periodic adjustments.

Other influences, such as law enforcement and prosecutorial initiatives (frequently established outside of the budget process and out of FPD's control), can have substantial impact on detention needs. Law enforcement and prosecutorial priorities directly impact USMS detention, as increases in arrests and prosecutions lead to increases in the FPD ADP. The COVID-19 pandemic is a prime example of factors and influences that impact detention but cannot be predicted in a forecasting model. Despite the complexities of projecting the detention population, building the budget request using current patterns and trends is the best available approach to keep the budget aligned with detention requirements.

**USMS FPD Average Daily Population and
Detainees Received by Primary Offense
FY 2018 – 2027**

<u>Fiscal Year</u>	<u>Total ADP</u>	<u>Total Detainees Received</u>	<u>Immigration</u>	<u>Drugs</u>	<u>Weapons</u>	<u>Other</u>
2018	55,339	232,470	105,917	26,412	9,791	90,350
2019	60,941	242,701	115,383	27,633	10,398	89,287
2020	61,416	151,638	51,452	22,064	8,853	69,269
2021	63,450	102,576	18,080	21,872	9,189	53,435
2022	63,037	98,765	21,753	18,245	8,102	50,665
2023	59,419	96,467	22,762	16,780	7,620	49,305
2024	56,867	98,687	28,007	15,226	6,924	48,530
2025	55,884	125,625	49,934	16,895	7,929	50,867
2026*	54,233	145,194	50,416	20,021	11,557	63,200
2027*	61,922	247,792	109,759	28,410	12,637	96,986

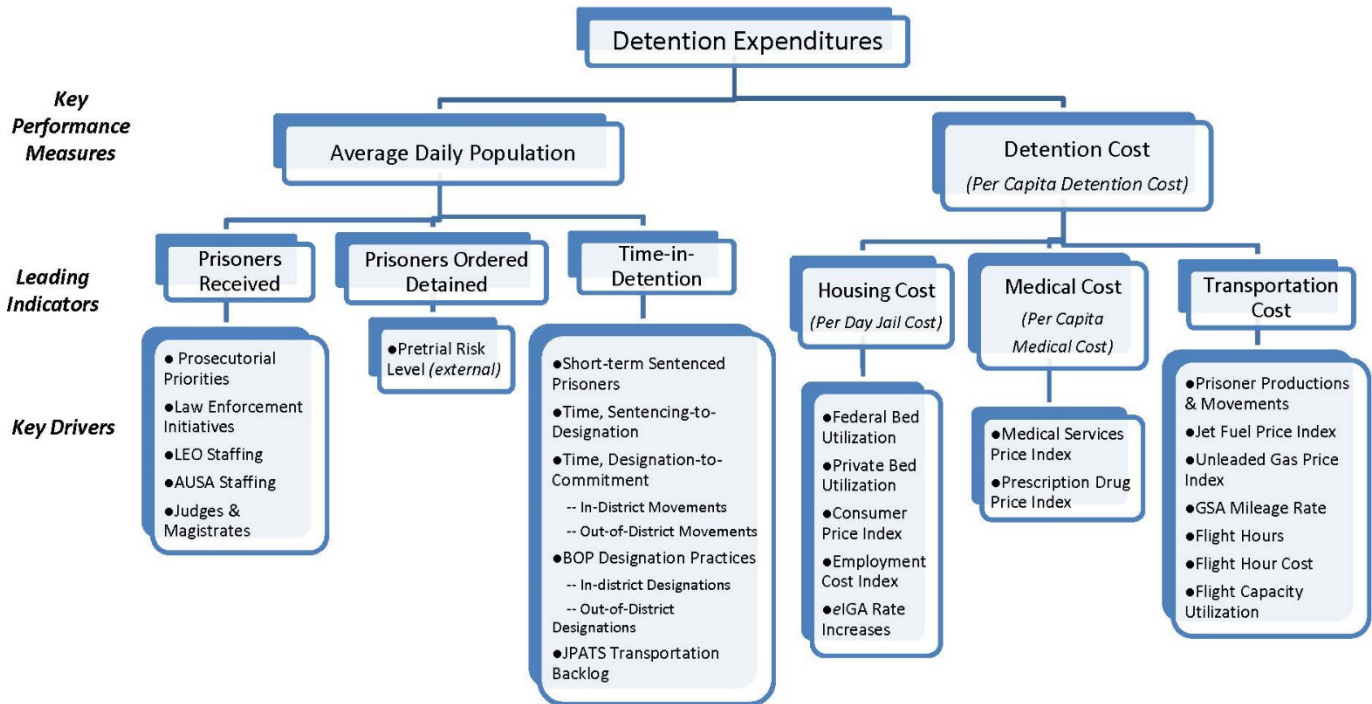
* Data shown for FY 2026–2027 reflect FPD projections. All other data shown are actual.

** FY 2027 data reflect the budget request without the program increase. With the solvency risk adjustment, the budget request would be able to support additional prisoners received and additional ADP at a higher per diem rate.

Detention Population Forecasting Model: As noted above, the USMS uses a statistical approach to predict detention needs. The Detention Population Forecasting Model incorporates factors such as population, demographic trends, number of detainee bookings, volume and type of criminal cases processed, average processing time per type of case, and inflationary indices. These factors allow for the development of impact scenarios that address proposed legislation, known DOJ law enforcement initiatives, and current activities. The USMS bases detention projections on past performance and the behavior of all variables involved; any shift may alter the outcome.

The chart below shows the two main factors influencing detention expenditures: the number of detainees booked by the USMS (prisoners received) and the duration those detainees are held in custody (time-in-detention). Both factors are directly influenced by activities and decisions throughout Federal law enforcement and litigating components, U.S. Attorneys offices, and the Federal judiciary. Accordingly, the USMS regularly monitors trends – and tries to anticipate – changes in Federal law enforcement priorities and caseload and the resulting impact to detention expenditures.

Primary Drivers of Detention Expenditures

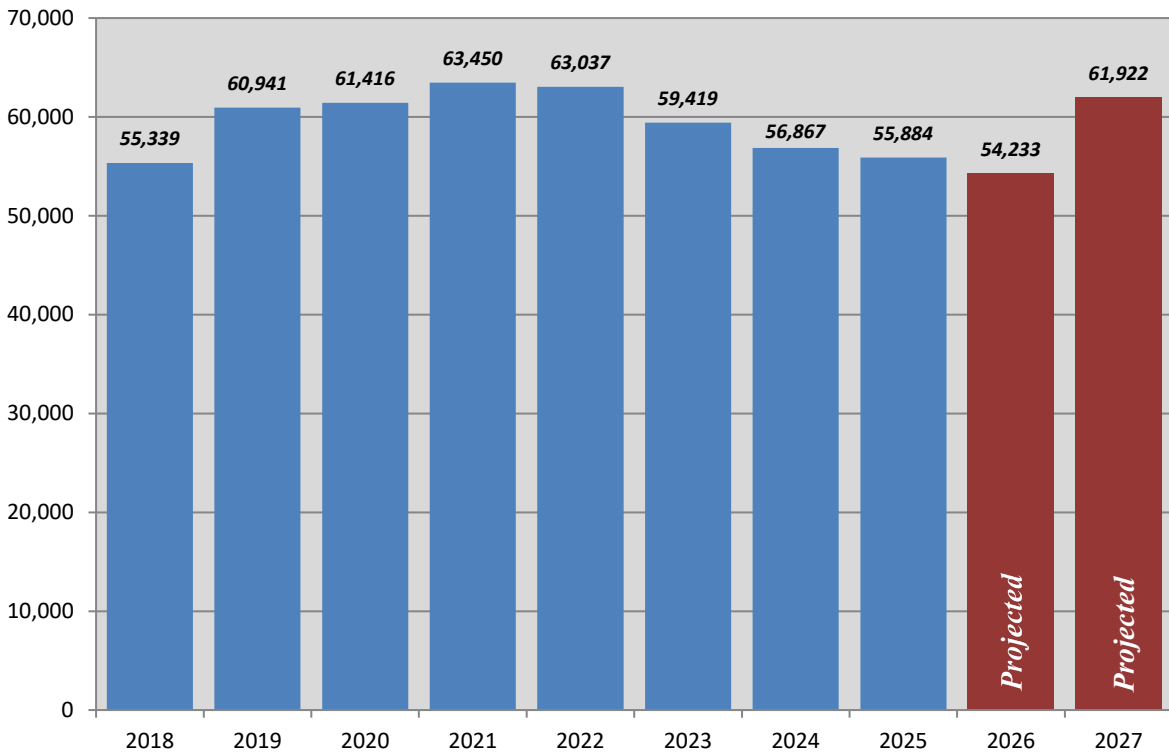


The detention population projection for FY 2027 is a particularly challenging assessment for the USMS. Although detention populations in FY 2025 and FY 2026 have declined, time in detention remains elevated and contributes to increased Federal prisoner detention expenses. For FY 2027, the detention population is projected to increase significantly due to the projected number of prisoners received for immigration offenses.

Impact of Past Detention Trends: The long-term trend from FY 2013 to FY 2017 reflected decreasing counts of detainees received for prosecution; overall ADP fell to a 13-year low of 50,317 in 2017, largely because of changes in prosecutorial practices and priorities, and enacted funding levels for Federal law enforcement agencies. Conversely, population increases from FY 2018 through FY 2022 reversed the previous downward trend. Prosecutorial activity substantially increased during this period, particularly due to changes in Administration and prosecutorial priorities.

In FY 2020, after consistent growth during the first half of the year, the detention population declined rapidly for several months; the number of detainees received decreased abruptly following the onset of the COVID-19 pandemic in early March. However, the ADP began to substantially increase in the fourth quarter of FY 2020 and continued throughout FY 2021. Although the number of detainees received remained significantly lower than pre-pandemic levels in FY 2021 and FY 2022, ADP returned to near-record levels due to a very large increase in time-in-detention. Detainees remained in USMS custody for extended periods due to sustained slowdowns in court operations and backlogs in prisoner transportation due to BOP COVID-19 transfer protocols.

**USMS Annual Average Daily Population
FY 2018 – 2027**



* Data shown for FY 2026–2027 reflect FPD projections. All other data shown are FY actuals.

Current Trends – Detention Population and Detainees Received: Projections indicate the FY 2026 annual ADP will be 54,233. For FY 2027, the USMS budget request assumes bookings will increase for southwest border (SWB) immigration violations and drugs and will be sustained for weapon offenses due to targeted law enforcement efforts to reduce violent crime and combat illegal drugs. With the transfer backlog now resolved, if prisoner transportation remains consistent with pre-pandemic functioning, the USMS estimates the annual ADP at 61,922.

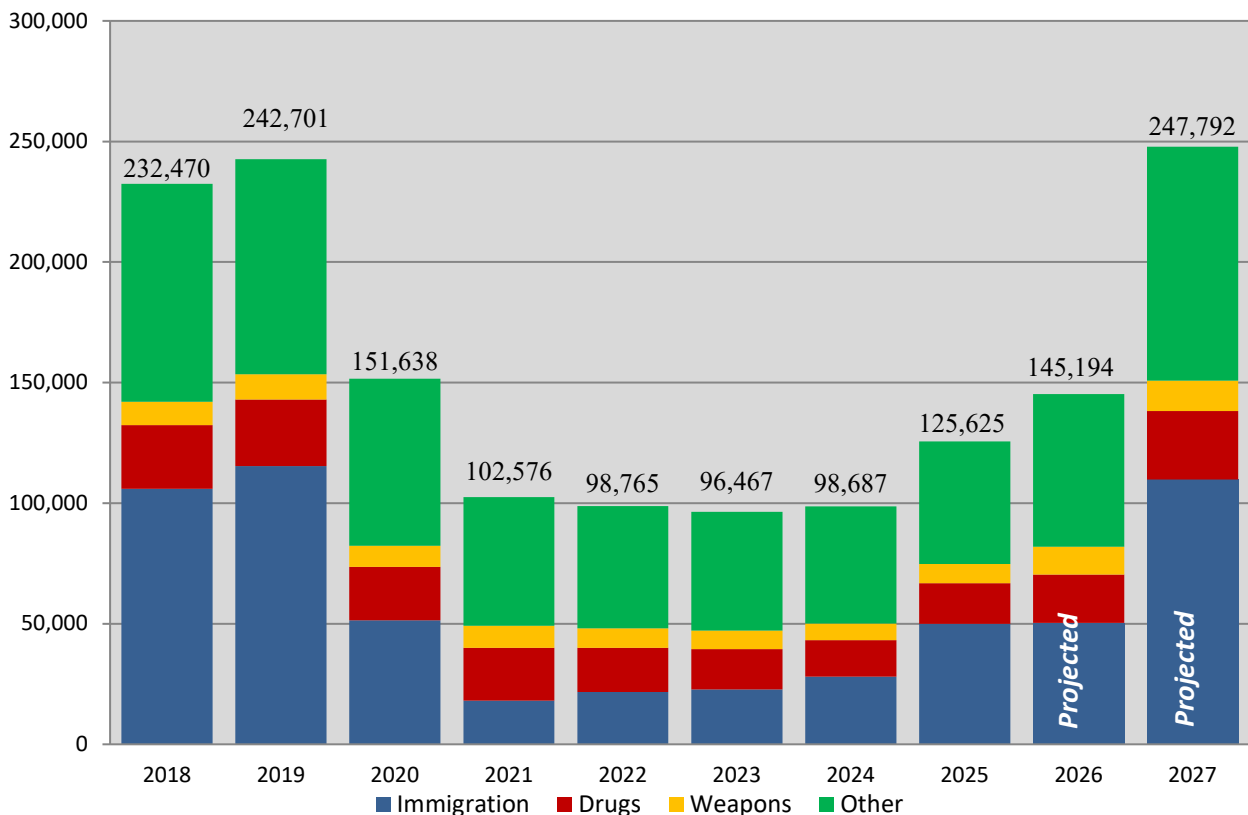
Historically, immigration enforcement initiatives along the SWB have had a significant impact on the detention population and USMS workload. At peak enforcement levels, immigration offenders comprised almost 50 percent of all persons received by the USMS. During FY 2025, almost 40 percent of all persons the USMS received were in the five SWB judicial districts (Arizona, Southern California, New Mexico, Southern Texas, and Western Texas).

During the COVID-19 pandemic, the number of detainees received into USMS custody for illegal entry and re-entry into the United States substantially decreased, from more than 100,000 during FY 2018 and FY 2019 to approximately 30,000 during FY 2023. While the number of detainees received into USMS custody for immigration offenses was higher than typical immediately prior to the pandemic due to prosecution policies in effect at the time, the number received into custody during FY 2023 was atypically low. Currently, the USMS is projecting

that the number of detainees received for immigration offenses will be at the levels observed during FY 2018 and FY 2019. If immigration enforcement initiatives lead to future changes in prosecution, court operations, or adjudication patterns, detention housing costs attributable to immigration offenses will reflect those changes.

The USMS projects to receive 247,792 detainees for all primary offense types during FY 2027, an increase from the FY 2026 projection of 145,194.

**USMS Detainees Received by Offense
FY 2018 – 2027**



* Data shown for FY 2026–2027 reflect FPD projections. All other data shown are FY actuals.

Funding Issues: Planning for detention requirements is a significant challenge. While past requirements and trends are easily observed, accurate prediction of future needs is complex. Detention requirements are dependent on multiple variables; therefore, the USMS recalculates its projection throughout the budget development process to remain consistent with currently observed population and cost increases. Because the USMS has little or no control over the outside factors that impact the FPD appropriation, the USMS primarily focuses on efficiencies and reducing detention costs. The USMS uses immediate, short-term, and long-term initiatives designed to maximize the cost-effectiveness of detention operations.

Cost Mitigation Initiatives: The USMS developed strategies to reduce expenses without adversely affecting operations. The following are a few of the efficiency plan actions:

- **Increased utilization of BOP detention bedspace.** USMS collaborated with the BOP to secure a temporary allocation of additional pre-trial beds at Federal facilities for USMS. An annual allocation Memorandum memorializes Federal bedspace decisions. This realignment of beds ensures greater usage and reduces the cost of detention beds for the USMS. The USMS has implemented several programs to move sentenced prisoners, by air or ground transport, from throughout the country, whenever practical, into Federal bedspace being unused by the local USMS district until they can be delivered to their designated Federal facility to fulfill their imposed sentence.
- **Shift detainees to lower cost facilities when operationally feasible.** The USMS continues to reiterate its policy to seek lower cost local detention facilities that participate in the USMS Intergovernmental Agreement program to house prisoners while in USMS custody. In addition to lowering expenditures, this practice typically frees up bedspace closer to the district's Federal courthouse.
- **Expedite movement of sentenced prisoners.** The USMS continued its partnership with the BOP and the Justice Prisoner Air Transportation System (JPATS) to move sentenced prisoners expeditiously into BOP designated facilities. The USMS requires partner agencies to provide the proper paperwork in a timely manner to move sentenced prisoners into BOP custody. The USMS closely tracks internal metrics to ensure the time it takes USMS to request BOP designate sentenced prisoners and the time USMS takes to complete the paperwork necessary to request movement of the prisoner to their designated BOP facility is meeting the programmatic goals.

The USMS continues to modify operations to increase cost-effectiveness and respond to the evolving detention environment. Although ADP fluctuations are largely outside of USMS direct control, the USMS continues to coordinate acquisition of sufficient detention space in the most cost-efficient manner possible. This objective becomes more challenging in times when detention space availability is limited. The USMS continues to aggressively seek efficiencies by working with Federal, State, and local partners to manage bedspace requirements, as well as reduce contract costs. In FY 2024, the USMS implemented a new process to only put new Intergovernmental Agreement (IGA) rates into effect on a quarterly basis, instead of a monthly basis. This approach provides cost avoidance and stabilize IGA rates within a given quarter, thus allowing improved updates to expenditure projections during budget year execution.

Cooperative Agreement Program (CAP): The CAP is designed to address detention space needs in critical areas. The program provides Federal funding to select State and local governments for renovation, expansion, or construction of jails or acquisition of equipment, supplies, or materials in exchange for guaranteed detention bedspace for a fixed period of time for Federal detainees in or near Federal court cities. The program is subject to the guidelines set by the Code of Federal Regulations, *2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*.

The CAP allows the USMS to meet Federal detention housing needs by directly investing resources into participating State and local facilities. The benefits of the program include

generating long-term financial benefits to local communities through Federally funded job creation and regional economic stability within the communities. The USMS currently has 7 active CAP agreements that provide Federal detention beds in areas where space is severely limited. This program remains an essential tool for the USMS to acquire the Federal detention beds needed. USMS initiates new CAP projects only if projected detention expenditures permit the obligation of funds for this purpose.

C. FY 2027 Request

The FPD account is defined by one program activity: Detention Services. The FPD request includes \$2,996,363,000 in appropriated resources for this activity.

Full Program Cost: Includes resources for housing, care, and transportation of detainees.

Full Program Cost for Detention Services		
Program Category	Description	Amount (\$000)
Housing and Subsistence	For housing and subsistence of detainees	\$2,604,124
Health Care Services	For health care	\$142,409
Medical Guards	For medical guards	\$74,639
Transportation	For transportation costs	\$145,191
Adjustments	For contingency margin	\$30,000
Total Request		\$2,996,363

Technical Adjustments and Adjustments-to-Base (ATB).

Technical Adjustments: For FY 2027, the FPD request includes two program realignments between USMS appropriations.

- The first realignment shifts funding for detention program management and oversight (including detention IT systems) from FPD to the USMS Salaries and Expenses (S&E) appropriation. To support this shift, FPD requirements decrease by 42 positions and \$33,377,000; S&E requirements increase by the same amount. These resources provide program leadership, operations, and budget support within the USMS Prisoner Operations Division (POD). Related activities include development and implementation of process improvements in the detention community, program oversight of detention contracts, and detention-related IT infrastructure modernization. Currently, funding for POD personnel is split between the S&E and FPD appropriations. This shift establishes consistent funding in the S&E appropriation for all USMS personnel and overhead-type program management costs.

- The second realignment shifts funding for the International Extraditions program from the S&E Fugitive Apprehensions decision unit to FPD. The USMS is the Federal government's primary agency tasked with returning international fugitives to the United States safely and securely. To support this shift, the S&E appropriation is decreased by \$3,000,000; FPD requirements increase by the same amount. At the point when a Deputy U.S. Marshal takes custody of an international fugitive in a foreign country, the extradition mission becomes a detainee transportation function. Therefore, funding extradition transportation in the FPD appropriation, with other detainee and prisoner air transportation costs, is reasonable and appropriate.
- This request includes an operations projection adjustment of \$212,122,000 to reflect the current projection for the prior fiscal year's expenditures, in this case FY 2026, as compared to budgeted resources to align the cost of current services at the beginning of the budget request year. Anticipated changes to program expenditures in the budget year request due to increases or decreases in the detention population or cost elements associated with the care of the detention population are then accounted for in the ATBs.

ATBs: Since the FY 2021 President's Budget submission, USMS requests for FPD resources have reflected population and inflationary changes for detainee housing and care as adjustments to base funding, rather than program increases or decreases. For FY 2027, the USMS requests base adjustments totaling \$362,079,000 for FPD. This includes the following items:

- \$99,732,000 for projected increases in the detention population in non-Federal beds;
- \$218,836,000 for inflationary costs associated with daily per diem costs and detention-related services;
- \$10,804,000 for increases in program costs for health care and medical guards;
- \$2,707,000 for increases in transportation; and
- \$30,000,000 for an operating margin to address fluctuations in the detention population that could affect solvency.

Program Increases: FPD's program increase of \$216,539,000 is for unexpected inflationary changes or any shift in Department policy that causes unanticipated detention population growth and expenses as detention expenditures can deviate significantly within a short amount of time. Based on the USMS projection for program requirements in FY 2027, the program change will increase FPD's statistical likelihood of solvency.

ADP Projections: The ADP is directly related to the number of persons arrested by Federal law enforcement agencies coupled with the length of time defendants are detained pending adjudication, release, or subsequent transfer to the BOP following conviction and sentencing.

The FPD appropriation supports program activities that offer little opportunity for economies of scale. Each additional detainee received translates into direct expenditures for housing, medical care, and transportation. As the chart on the next page demonstrates, an unplanned three to ten

percent increase of detainees received in the drugs, weapons, and immigration primary offense categories results in cost increases that are within historical boundaries. For example, an additional three percent increase in the number of detainees received for drug offenses projected for FY 2027 would increase ADP by more than 852 and generate over \$40 million in increased detention expenditures.

Impact of Increase in Detainees Received Beyond FY 2027 Population Projections				
Primary Offense Category / Increase	Detainee Bookings		Total ADP	Projected Cost Increase
	Total	Variance from Projection		
<i>Detainees Received for Drug Offenses</i>				
Baseline	28,410	---	61,922	---
+3%	29,262	852	62,706	\$40,361,164
+5%	29,830	1,420	63,229	\$67,268,607
+10%	31,251	2,841	64,535	\$134,537,214
<i>Detainees Received for Weapons Offenses</i>				
Baseline	12,637	---	61,922	---
+3%	13,016	379	62,260	\$17,379,367
+5%	13,269	632	62,485	\$28,965,611
+10%	13,900	1,264	63,047	\$57,931,222
<i>Detainees Received for Immigration Offenses</i>				
Baseline	109,759	---	61,922	---
+3%	113,052	3,293	62,772	\$43,774,060
+5%	115,247	5,488	63,339	\$72,956,767
+10%	120,735	10,976	64,756	\$145,913,534

Because the FPD account is subject to population fluctuations and other cost increases beyond its control, incorporating a risk assessment is a prudent approach to estimate the required funding level more accurately. The projected cost increases shown above for drug and weapons offenses are attributable to both longer time-in-detention and a higher per capita detention cost.

D. Challenges

The USMS does not own or operate any detention facilities and is dependent on the availability of housing in facilities operated by other Federal, State, and local entities. Additionally, the USMS is responsible for the housing of detainees while their court proceedings are ongoing; therefore, the USMS must locate alternative housing within reasonable proximity to the courthouse. The two main challenges that will affect USMS and the FPD appropriation during FY 2027 are limited detention bedspace and responding to external influences on detention.

External influences are an ongoing and integral challenge to management of the FPD appropriation. The USMS' detention resources and requirements are directly impacted by law enforcement and prosecutorial priorities and larger legislative changes such as immigration reform, SWB initiatives, and revisions to sentencing guidelines. For example, if immigration initiatives intensify, the USMS could experience a substantial increase in costs with limited bedspace in some areas of the SWB. Although the USMS has agreements with State and local governments to house USMS prisoners, bedspace in their facilities is only provided on an "as available" basis. The acquisition of additional bedspace under existing agreements can be challenging, but the USMS is always looking to identify alternatives. Finally, per 18 USC 4013(c), private detention is sought when the USMS requires additional capacity beyond the availability of appropriate Federal, State, and local government detention facilities. The revocation of EO 14006 has afforded the USMS more flexibility in exploring alternative detention options and providing facilities proximate to federal courthouses.

II. Summary of Program Changes

Item Name	Description	Pos.	FTE	Dollars (\$000)	Page
Solvency Risk Adjustment	Additional resources necessary to meet unanticipated growth in the detention population and expenses.	0	0	216,539	16

III. Appropriations Language and Analysis of Appropriations Language

United States Marshals Service

Federal Prisoner Detention

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, \$2,996,363,000, to remain available until expended: Provided, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the United States Marshals Service shall be responsible for managing the Justice Prisoner Air Transportation System.

Analysis of Appropriations Language

No substantive changes proposed.

IV. Program Activity Justification

<i>Detention Services</i>	Direct Pos.	Estimated FTE	Amount
FY 2025 Enacted	42	42	\$2,236,000
FY 2026 Enacted	42	42	\$2,236,000
Adjustments to Base and Technical Adjustments	-42	-42	\$543,824
FY 2027 Current Services	0	0	\$2,779,824
FY 2027 Program Increases	0	0	\$216,539
FY 2027 Request	0	0	\$2,996,363
Total Change FY 2026 – FY 2027	-42	-42	\$760,363

<i>Detention Services – Information Technology</i>	Direct Pos.	Estimated FTE	Amount
FY 2025 Enacted	0	0	\$16,958
FY 2026 Enacted	0	0	\$17,157
Adjustments to Base and Technical Adjustments	0	0	\$1,109
FY 2027 Current Services	0	0	\$18,266
FY 2027 Program Increases	0	0	\$0
FY 2027 Request	0	0	\$18,266
Total Change FY 2026 – FY 2027	0	0	\$1,109

1. Program Description

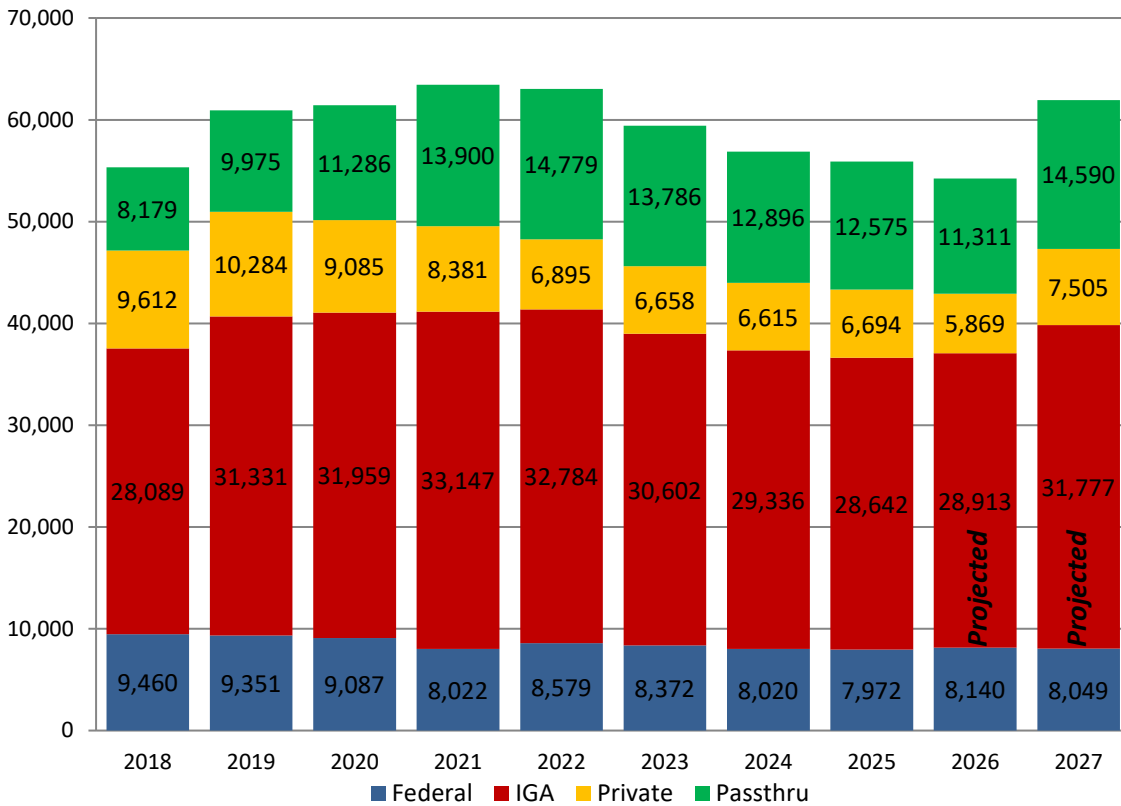
Detention Services

Detention resources provide housing, transportation, medical care, and medical guard services for Federal detainees remanded to USMS custody. The FPD appropriation expends resources from the time a detainee is brought into USMS custody until criminal proceedings are terminated and/or the sentenced prisoner is committed to BOP.

The Federal government relies on various methods to house detainees. The USMS acquires detention bedspace for Federal detainees as effectively and efficiently as possible through:

- Federal detention facilities, where FPD uses BOP facilities for which the Federal government has already paid for construction and subsequent operation;
- Intergovernmental Agreements with State and local jurisdictions that have excess prison/jail bed capacity and receive a daily rate for the use of a bed;
- Cooperative Agreement Program, where capital investment funding is provided to State and local governments for guaranteed detention bedspace in exchange for a daily rate negotiated through an IGA; and
- Private facility contracts where a daily rate is paid per bed. In accordance with Executive Order 14006, the USMS is continuously identifying alternatives to private facilities.

**USMS Average Daily Detention Population by Type of Facility
FY 2018-2027**



* FY 2026–2027 data reflect USMS projections. All other data shown are FY actuals.

V. Program Increases by Item

Item Name:	<u>Solvency Risk Adjustment</u>
Budget Decision Unit(s):	<u>Detention Services</u>
Organizational Program:	<u>Prisoner Operations</u>
Program Increase:	Positions <u>0</u> Agt/Atty <u>0</u> FTE <u>0</u> Dollars <u>\$216,539,000</u>

Description of Item

The USMS requests an increase of \$216,539,000 as a solvency risk adjustment to provide the additional resources necessary to meet unanticipated growth in the detention population and expenses.

Justification

The FPD account is subject to population fluctuations and other cost increases that are beyond its control and incorporates a risk adjustment to its planning as a prudent approach to ensure that sufficient resources are available to minimize a potential shortfall. Even a small spike from the projected population could result in costs that exceed available funds by millions of dollars.

The USMS does not control the number of detainees who enter the system, nor can it release detainees to stay within current available funding levels; therefore, projections can deviate significantly within a short amount of time. Additionally, longer time-in-detention contributes to increased expenses, and time-in-detention is affected by the expeditiousness of the Federal court system and complexities of individual cases, both of which are beyond the USMS' management.

For budget projection purposes, a point estimate must be developed; however, many factors affecting the FPD budget are variable and dependent on external factors that cannot be completely known. Using historic data on major budget factors, such as the detention population (affected by the length of the judicial process, availability of Federal bedspace, prisoners received from arresting agencies, judicial remand rate, Administration priorities, etc.) and daily housing costs (affected by inflationary pressures, medical costs, local labor markets, etc.), an estimation of the funds necessary to increase the likelihood of account solvency can be calculated and applied to the FPD budget as an increase.

Another major risk factor, for which a solvency risk adjustment would protect the FPD, is the impact that program increases to other governmental components can have on the number of individuals in USMS custody. For example, increases to other DOJ or Department of Homeland Security components in FYs 2023 – 2027 could have unknown impacts to the FPD in FY 2027 as the resulting workload from those increases has yet to be realized when formulating future budgets. In addition, the USMS calculates that older agreements with local governments may hold an overall financial risk to the FPD of more than \$90 million, should all local governments attempt to renegotiate their rates to house USMS prisoners in the same fiscal year. Another

example of contingency is the potential unavailability of Federal bedspace projected for pretrial detainees in budget estimates during the budget execution years or delays in sentenced prisoners being delivered to Federal facilities. This could come about due to staffing shortages, constructions projects, facilities at capacity, or other unforeseen issues that may arise beyond the influence of the USMS. In such situations, individuals expected to be housed in Federal facilities at no cost to FPD would be housed in State and local facilities at cost.

For FYs 2019 – 2024, FPD expenses have exceeded available funding due to many factors associated with not funding projected increases to the prisoner population and per diem housing costs; unanticipated increases of the prisoner population, per diem housing costs, or other cost elements affected by higher-than-expected inflation; and the lack of sufficient financial reserves. The account required supplemental funding or a reprogramming of resources from other Department accounts.

The chart below reflects the additional resources that were provided to the FPD account. For FYs 2019 – 2024, the appropriation level provided less funding than was necessary to meet the cost of providing for the housing, medical care, and security of those remanded to the custody of the USMS. For FY 2025, the appropriation provided sufficient funding. The USMS continues to monitor detention activity and take actions to mitigate shortfalls.

Fiscal Year	President’s Budget	Appropriation	Supplemental/ Transfer	Actuals
2019	\$1,536,000,000	\$1,552,397,000	\$227,000,000	\$1,840,882,085
2020*	1,867,461,000	1,867,461,000	69,617,000	1,962,074,510
2021*	2,046,609,000	2,046,609,000	137,540,000	2,196,347,395
2022*	2,170,015,000	2,123,015,000	97,900,000	2,234,477,586
2023	2,129,789,000	2,129,789,000	48,000,000	2,195,782,804
2024	2,125,724,000	2,100,000,000	106,383,000	2,194,794,121
2025	2,140,697,000	2,236,000,000	---	2,198,733,059
2026	2,538,000,000	2,236,000,000	---	---
2027	3,026,363,000	---	---	---

* The USMS deferred contracts into the following fiscal year to ensure solvency.

Given the external factors out of USMS control including program increases across the government, history of shortfalls, and large variations in the projections, the risk adjustment program enhancement would help ensure FPD has the costs necessary to cover the expenses associated with the care and custody of Federal detainees in State, local, and private facilities.

Impact on Performance

Resourcing the FPD to absorb contingencies outside the control of the USMS would benefit stability across other DOJ accounts and ensure the USMS is sufficiently resourced to house and care for those remanded to the custody of the USMS. The USMS continues to analyze cost savings measures for economies of scale to remain solvent in the years to come and hopefully generate funding for emerging issues.

Funding

1. Base Funding

FY 2025 Enacted				FY 2026 Enacted				FY 2027 Current Services			
Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)
42	1	42	\$2,236,000	42	1	42	\$2,236,000	0	0	0	\$2,779,824

2. Personnel Increase Cost Summary: Not applicable

3. Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2027 Request (\$000)	FY 2028 Net Annualization (change from 2027) (\$000)	FY 2029 Net Annualization (change from 2028) (\$000)
Solvency Risk Adjustment	N/A	N/A	\$216,539	\$0	\$0
Total Non-Personnel	N/A	N/A	\$216,539	\$0	\$0

4. Justification for Non-Personnel Annualizations

The Solvency Risk Adjustment allows for the fluctuations in required costs for detainees in Federal custody allowing for care and operations. The assessment fully recurs to allow for contingencies.

5. Total Request for this Item

Category	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2028 Net Annualization (change from 2027) (\$000)	FY 2029 Net Annualization (change from 2028) (\$000)
Current Services	0	0	0	\$0	\$2,779,824	\$2,779,824	\$0	\$0
Increases	0	0	0	\$0	\$216,539	\$216,539	\$0	\$0
Total	0	0	0	\$0	\$2,996,363	\$2,996,363	\$0	\$0

6. Affected Crosscuts: Not applicable.