

**United States Marshals Service
FY 2019 Performance Budget
President's Budget**

Construction Appropriation



February 2018

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I. United States Marshals Service (USMS) Overview

A. Introduction

The USMS requests **\$14,971,000** for the Construction appropriation to plan, construct, renovate, equip, and maintain space controlled, occupied, or utilized by the USMS. The request equals the FY 2018 President’s Budget and is \$5,039,000 more than the FY 2018 Continuing Resolution funding level.

The Construction appropriation was first enacted in 1999 when Congress recognized the need to establish a separate funding stream to address USMS space needs. The USMS does not own any space; it leases space through the General Services Administration (GSA) in courthouse facilities and Federal buildings nationwide. At these locations, Deputy U.S. Marshals and administrative staff process prisoners for Federal court proceedings, conduct task force operations, and support all agency mission areas.

Budget	Construction	
	Positions	Amount (\$000)
FY 2017 Enacted	0	\$10,000
FY 2018 Continuing Resolution	0	\$9,932
FY 2019 Request	0	\$14,971

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.justice.gov/02organizations/bpp.htm>.

B. Organizational Background

As America’s first Federal law enforcement agency, the USMS is considered the Nation’s Police Force, and is responsible for protecting, defending, and enforcing the American justice system. The USMS protects the judicial process, the cornerstone of American democracy. The USMS uses the influence and reach gained through its accomplished history and broad authority to collaborate with other Federal, state, local, and international law enforcement agencies, as well as with concerned citizens and members of the judiciary, to form a united front against crime.

The USMS strategic plan identifies mission challenges and strategies to mitigate these challenges. This road map guides resource investment, establishes the steps to improve operational performance, and positions the USMS to meet future challenges. Over the past few years, the USMS has successfully executed its broad mission authority even as new mandates

and congressional legislation have resulted in dynamic growth across program areas, often without the corresponding support for infrastructure. To successfully implement the strategic plan while continuing to excel in executing the mission, transformational change is required. Therefore, the plan addresses infrastructure in addition to the mission areas.

C. USMS Construction Budget

The requested **\$14,971,000** provides the necessary resources to allow the USMS to stabilize its construction plan by supporting critical renovations identified each year while maintaining and repairing facilities that require immediate attention.

As noted above, the USMS occupies space leased from GSA in over 400 courthouse facilities and Federal buildings across the country, including U.S. territories. GSA provides the basic requirements to conduct business in a typical office setting – walls, windows, ceilings, floors, and doors – as well as associated infrastructure such as lighting and ventilation. In addition to this basic infrastructure, the USMS has unique requirements that stem from its law enforcement mission. USMS facilities include vehicle sallyports, cellblocks, attorney/prisoner interview rooms, secure corridors, prisoner elevators, holding cells adjacent to courtrooms, and special purpose spaces such as indoor firing ranges and training rooms. These USMS-specific requirements are funded and built through the Construction appropriation.

The USMS must process, move, and detain prisoners in a secure environment. Renovation and alteration of USMS-controlled space, including installation and replacement of electronic security devices, is required to assure the safety and security of judicial officials, courtroom participants, the public, USMS personnel, and prisoners. USMS Publication 64, Requirements and Specifications for Special Purpose and Support Space, defines the specifications for constructing space and properly installing security measures in Federal courthouses. The USMS must ensure that doors leading to prisoner movement areas are properly secured with frame-mounted, motor-operated electromechanical locks, scramble pads, intercoms, duress alarms, door position switches, magnetic catches, and reinforced framing. Publication 64 identifies and provides detailed specifications for hundreds of devices, including plumbing fixtures and air filtration systems, to establish and maintain security standards that effectively prevent prisoner escape, prisoner self-harm, or harm to others.

Common security concerns typically involve a building's traffic circulation system (i.e. corridors, elevators, and stairways), because prisoners must be segregated from the public and members of the judiciary. A modern courthouse may incorporate three separate circulation systems, one each for the public, members of the judiciary, and prisoners. Secure prisoner movement areas include vehicle sallyports to ensure secure entry into the courthouse, prisoner elevators, and holding cells behind the courtrooms. However, many older courthouses do not have separated circulation areas. Combined circulation creates major security risks when USMS personnel bring prisoners into the courthouse through public areas and move them to courtrooms by means of public elevators and public corridors.

D. Challenges

The USMS continues to analyze cost savings measures for economies of scale; communicate transparently with the Department of Justice, Office of Management and Budget (OMB), and Congress; and pursue resources to accomplish its mission to provide the highest possible security for the Federal judicial process.

Functional, updated and well-maintained infrastructure is critical to the core mission of the USMS. The agency must provide security to judges, witnesses, and other participants in Federal proceedings and reduce the potential for harm to the public. Without the proper infrastructure, these missions are difficult to accomplish let alone perform at an optimal level.

Capital Security and New Courthouse Programs

The USMS maintains a list of pending construction projects that it has identified, reviewed, and prioritized for completion. In addition to these internal projects, the Construction appropriation supports projects designated under two programs conducted by GSA: the Judicial Capital Security Program and the New Courthouse Program. USMS is required to fund these additional projects on specific timelines; therefore, completing these projects results in adjustments or scheduling delays to projects on the USMS list.

GSA's Judicial Capital Security Program, which began in FY 2012, implements security enhancements in Federal courthouses where construction of a new courthouse is unlikely in the foreseeable future. GSA selects and executes projects in this program based on studies undertaken by the Judiciary. When improvements under this program affect USMS-controlled space, the USMS must concurrently fund updated security equipment such as cabling, secure access control systems, cameras, intercoms, and duress alarms. For example, if GSA installs a new elevator in a courthouse to eliminate the security deficiencies present in a shared circulation system, the USMS must ensure necessary security equipment upgrades are installed with that new elevator.

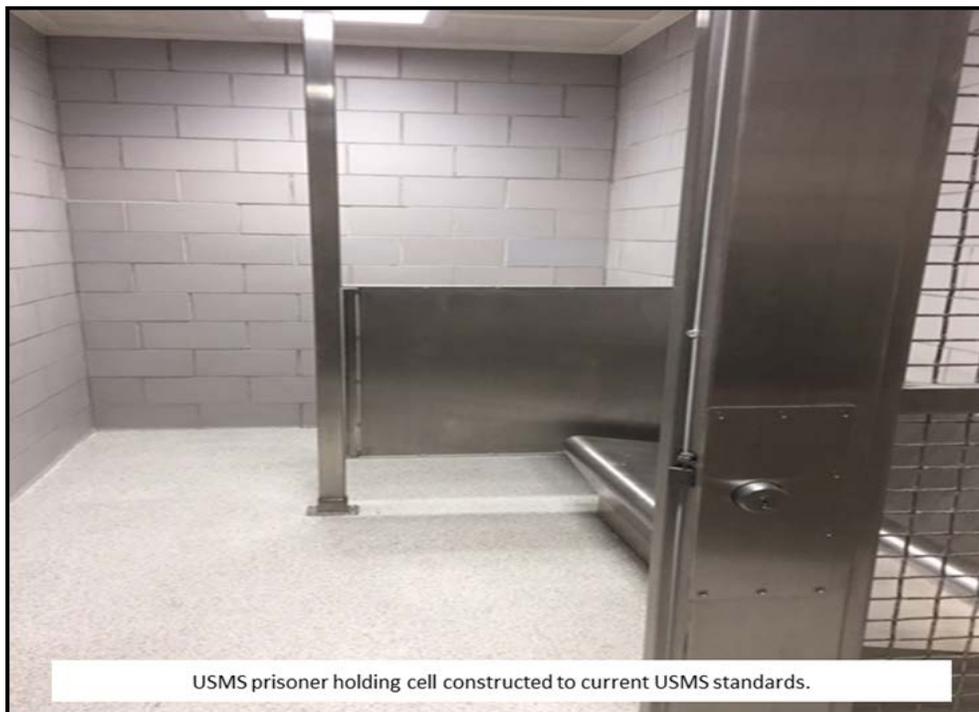
GSA's New Courthouse Program, which constructs new Federal courthouses throughout the country, began in FY 2016. Congress appropriated construction funding for ten new courthouses in FY 2016. The USMS is required to provide any above-standard items such as electronic security devices, equipment, furniture, and network cabling for each of these new courthouses. Three courthouses are scheduled for construction in FY 2019; requirements vary by courthouse, but will include security, cabling, and furnishings.

Renovations (Examples)

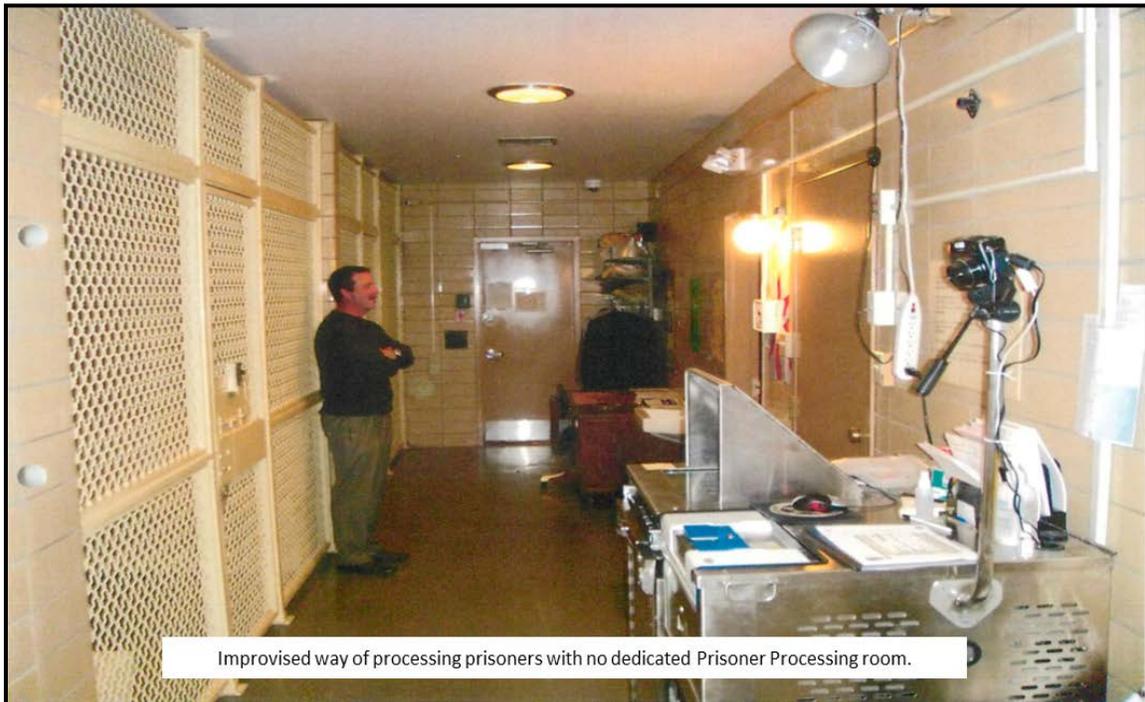
Sallyport: Prisoner transport vehicles enter the courthouse through the vehicle sallyport, the first point of entry into the building's secure movement system. Sallyports are used exclusively by the USMS. Publication 64 articulates standards for vehicle sallyport size, which is determined by the types of vehicle (automobiles, vans, buses, minibuses, or combinations thereof) that meet district office requirements as well as the district's current or anticipated prisoner vehicle fleet. Sallyports that fail to meet the security standards set forth in Publication 64 jeopardize public safety by increasing the risk of escape, and present a security threat to both USMS deputies and prisoners.



Prisoner Holding: Holding cells in the main detention cellblock hold prisoners in a secure central location within the USMS space while they await court appearances or interviews with agents and attorneys. The unsecured furnishings found in older holding cells can easily be fashioned into weapons which could be introduced into the courtroom environment or used to assault USMS personnel or other prisoners. Older lighting fixtures provide a ready source of glass for weapons, or an attachment point for a suicide attempt. Painted furniture and walls offer opportunities to scratch graffiti and messages to other prisoners. Cells constructed in compliance with Publication 64 standards do not have these shortcomings.



Prisoner Processing: The prisoner processing room is part of the main detention cellblock. Prisoners in restraints are escorted from the vehicle sallyport to this room to be photographed, fingerprinted, and processed before being taken to their cells. The room contains prisoner processing equipment, including a JABS (Joint Automated Booking System) station, and a sink and eyewash device. Tight spaces, loose equipment, cables, and furniture present a hazard when processing one or more uncooperative prisoners. They can potentially be used as weapons against USMS personnel.



Prisoner/Attorney Room: Interview rooms provide a private but secure place for prisoners to meet with their attorneys. Publication 64 specifies that each interview room have two sides, with a counter and security screen between them. Sound-rated slab-to-slab walls, limited egress, and signal lights ensure attorney/client confidentiality and provide for the safety of attorneys and the public. Interview rooms that are not sight- and sound-isolated from holding cells may allow other prisoners and law enforcement personnel to overhear privileged conversations, and extra measures (such as removing prisoners from a cellblock) must be taken to mitigate this risk. Interview rooms that provide multiple egress points for prisoners present a risk for escape.



Out dated and not secured, prisoner/attorney interview area.



Prisoner/Attorney Interview room constructed to current USMS standards.

II. Summary of Program Changes

Not applicable.

III. Appropriations Language and Analysis of Appropriations Language

United States Marshals Service

Construction

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$14,971,000, to remain available until expended.

Note.—A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

Analysis of Appropriation Language

Construction: For clarification purposes, the support costs related to the Construction Appropriation shall include contract-related costs that are necessary to efficiently and effectively manage the corresponding workload associated in executing these construction projects.

IV. Program Activity Justification

A. Construction

<i>Construction</i>	Direct Positions	Estimated FTE	Amount (\$000)
2017 Enacted	0	0	\$10,000
2018 Continuing Resolution	0	0	\$9,932
Adjustments to Base and Technical Adjustments	0	0	\$5,039
2019 Current Services	0	0	\$14,971
2019 Program Increases	0	0	\$0
2019 Program Decreases	0	0	\$0
2019 Request	0	0	\$14,971
Total Change 2018-2019	0	0	\$5,039

1. Program Description

The Construction appropriation allows the USMS to address the increasing renovation project backlog and critical major facility and security deficiencies. The USMS occupies over 400 courthouse facilities across the country and U.S. territories. While newer facilities benefit from modern security features, older courthouses require significant upgrades. Maintaining the USMS infrastructure is critical to the safety of judicial officials, courtroom participants, the public, and USMS personnel.

Construction projects focus on critical needs for courthouse security; space deficiencies; detention safety; rehabilitation of outdated cellblocks; meeting Occupational Safety and Health Administration (OSHA) standards; upgrading the historical buildings, spaces, and obsolete equipment that do not meet current security and safety standards; and supporting Departmental footprint and cost-reduction initiatives. USMS construction projects are currently prioritized into four categories:

1. Safety and Security Deficiencies – Addresses safety standards for all spaces within the cellblock including vehicle sallyports, courtroom holding cells, prisoner interview rooms, and secure prisoner corridors. Corrects critical failures to security, and immediate health and/or life safety issues. Examples: detention lock failures, control systems that may result in prisoner escapes; and air filtration defects that increase exposure to contagions such as tuberculosis or Methicillin-Resistant Staphylococcus Aureus (MRSA).

2. Court Initiated – Addresses the need for new U.S. Courthouses and holding cells for new courtrooms, upgrades to aging capital security, and renovation of buildings that do not meet current safety and detention standards. These projects are coordinated with the U.S. Courts to reduce overall project cost while providing the necessary facility and security improvements needed to protect and support the U.S. Courts.
3. Support Space Renovations – Covers all non-detention space renovation to include the squad room, galley, conference rooms, vaults, and storage spaces.
4. Lifecycle Replacement – Scheduled replacement of overhead garage doors in sallyports; detention doors, locks, and controllers; vault doors and locks; and furniture, paint, and carpeting that are deemed obsolete or have reached the end of their lifecycle due to normal wear and tear.

Project scheduling is regulated based on available funds and risk assessment. For older buildings that require major renovation, project plans are phased over a number of fiscal years due to the magnitude of areas that need renovation and limited construction funds available. For example, a prisoner elevator may be renovated as a smaller contained project if the USMS lacks funds to renovate the entire cellblock and sallyport. As a result, the construction project schedule is a dynamic document, frequently adjusting to changes in funding availability and updated risk assessments. The phasing of new courthouses starts with conceptual designs, continues through preparation of construction documents and actual construction, and concludes with project completion. Funding for these projects are provided in multiple years (first year for site survey, second year for design, and third year for construction). Project scheduling is based on agency need, project knowledge, contract progression, project development, relocation schedule, project staffing, funding availability, damage levels caused by natural disasters, mandates through executive orders, and safety concerns due to high threat trials.

2. Performance and Resource Tables

Performance Materials will be provided at a later date.

3. Performance, Resources, and Strategies

Performance Materials will be provided at a later date.