

FY 2009

PERFORMANCE BUDGET

Congressional Submission



Office of the Federal Detention Trustee

U. S. Department of Justice

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I. Overview

A. Introduction

The Office of the Federal Detention Trustee (OFDT) requests a total of 23 permanent positions, 23 full-time equivalents (FTE), and \$1,295,319,000 for Fiscal Year (FY) 2009.

The request represents an increase of \$69,399,000 over the FY 2008 appropriation. The requested increase includes \$85,563,000 for adjustments-to-base, \$37,570,000 for program increases and \$53,734,000 in program offsets. The request by strategic goal follows:

DOJ Strategic Goal	OFDT Program Activity	Request
3.3	Detention Services	\$1,262,398,584
3.1	JPATS Transportation	32,920,416
	Total Request	\$1,295,319,000

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/2009justification/>.

B. Mission

OFDT was established as a 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, facilitate the implementation of programmatic changes, and improve the coordination of detention activities for DOJ and the Department of Homeland Security (DHS).



In 2005, Congress directed OFDT to assume the responsibility of managing the Justice Prisoner and Alien Transportation System (JPATS) to improve management and ensure unimpeded prisoner transportation operations and equality among agencies. In FY 2007 JPATS funding was transferred to OFDT. In December of 2007, Congress approved the proposed organization of OFDT which includes the position of Assistant Trustee for Transportation.

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 has proven successful in achieving efficiencies and cost reduction and avoidance in detention through process and infrastructure improvements outlined in a national detention strategy which addresses the requirements of the United States Marshal Service (USMS), the Bureau of Prisons (BOP), and Bureau of Immigration and Customs Enforcement (ICE). With that strategy firmly in place, OFDT is now strengthening its focus on the regulatory aspects of its mission. In addition, OFDT will explore new approaches to address diminishing detention space and transportation capability in an environment of ever increasing detention populations resulting from aggressive immigration and law enforcement initiatives.

C. FY 2009 Budget Request by Strategic Goal

The OFDT budget is aligned with DOJ and OFDT strategic and performance goals and 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 identifies the related performance objectives as well as related resources. All of this information as well as critical performance targets and workload projections are included in the Performance and Resources Table (*See page 21*). The alignment of DOJ Strategic Goals, OFDT Strategic Goals, and program activities follows.

DOJ Strategic Goal 3.1 Protect judges, witnesses, and other participants in federal proceedings, and 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

DOJ Strategic Goal 3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing and those in custody of the Federal Prison System

OFDT Program Activity: Detention Services

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

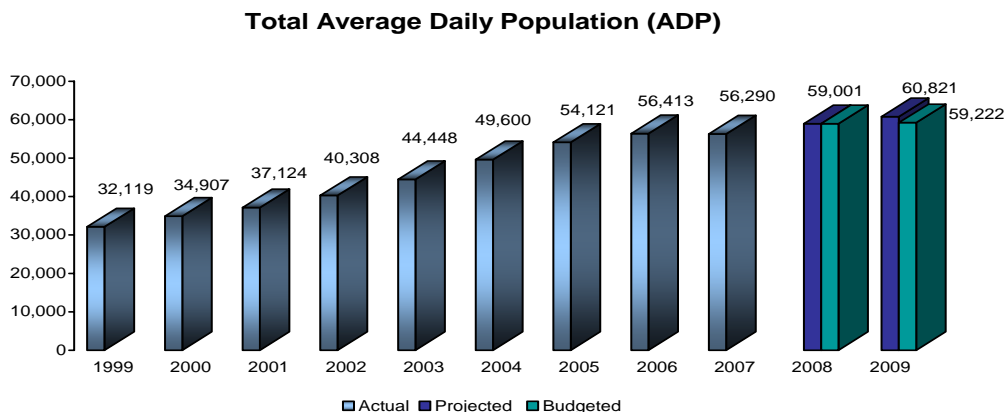
OFDT Strategic Goal 2: Ensure safe, secure, and humane confinement

C.1 Budget Request - Detention Services/DOJ Strategic Goal 3.3

FY 2009 Request: OFDT’s request includes \$1,262,398,584 in appropriated resources for detention services. This amount includes \$1,148,961,740 for detention costs. Program costs for health care and medical guards are \$80,986,868 and \$15,454,259, respectively. Also included in the total cost for this program activity is \$13,654,826 for intra-district transportation and \$3,340,891 for other associated costs.

Adjustments-to-base: OFDT requests \$85,563,000 for pay and benefit adjustments, rent and facilities costs, recurring base adjustments, and other inflationary cost increases. This adjustment will allow OFDT to support its existing population in non-federal facilities and provide them with medical and hospital care, guard services and other detention-related services. (See Exhibit B).

Program Changes: The request includes \$37,570,000 for the Southwest Border Enforcement Initiative. The Southwest Border Enforcement funding will be used to accommodate an anticipated increase in the number of detainees placed in non-federal facilities along the Southwest Border. These resources will be utilized to fund the costs associated with providing housing, care and transportation of detainees. This program increase will support detention housing for an additional 7,000 immigration offenders apprehended by the Department of Homeland Security and processed by the U.S. Marshals Service. OFDT anticipates that it will house 203,000 total detainees in non-federal facilities in FY 2009. OFDT is also requesting two additional positions, Deputy Chief Information Officer and a Deputy Chief Contracting Officer, to improve operational administration. These positions will be funded through existing resources. Lastly, the OFDT has a program offset in the amount of \$53,734,000 due to efficiency measures and implemented cost savings.



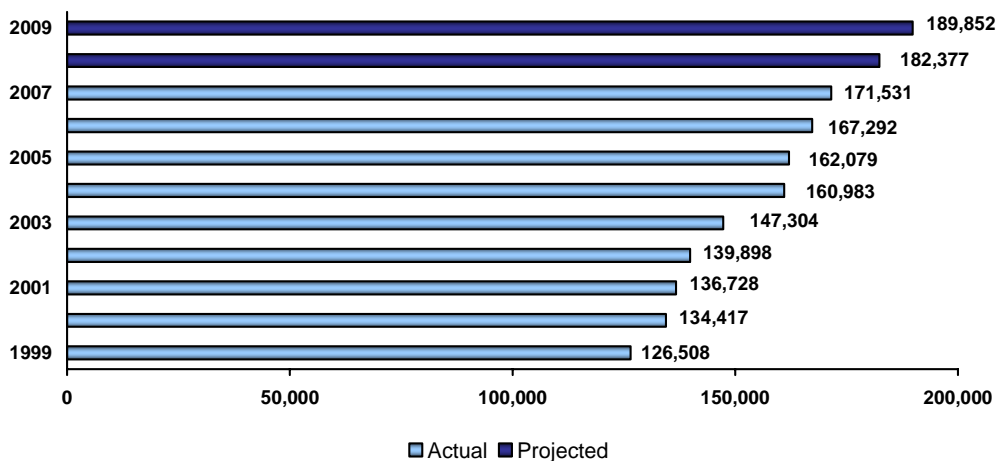
ADP Projections: The ADP is projected to be 60,821 in FY 2009 based on estimated bookings. OFDT anticipated and projected for a sizeable increase in general immigration activities in FY 2009. Recently, Congress ordered the immediate expansion of DHS’

Operation Streamline, which has the potential to significantly impact detention requirements. As OFDT does not have sufficient information to determine the actual impact of this initiative, additional growth resulting from the expansion of this program is not included in the projected ADP.

Projected ADP is dependent upon the number of persons arrested by the federal law enforcement agencies coupled with the length of time defendants are detained pending adjudication and subsequent transfer to the BOP following conviction and sentencing. Proactive initiatives undertaken by the OFDT and the US Attorneys will continue to reduce the number of defendants ordered detained. Other continuing initiatives, such as fast-tracking the prosecution of selected offenses, expediting the designation and transfer of sentenced prisoners to BOP correctional institutions, and utilizing detention alternatives have proven successful at reducing detention.

Time in detention is projected to fall to 118 days in FY 2009. The type of offense impacts heavily on time in detention; therefore, any shift in the projected number of people arrested by offense will likely impact the projected overall time in detention.

Persons Booked by USMS



Detention Population Forecasting Model

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

As part of the continuing effort to improve forecasting accuracy, OFDT recently revised the methodology for capturing bookings data. Specifically, a technical adjustment was made to the calculation of admission counts. Previously, when a detainee was released pending trial and then re-admitted, the data system captured this as a new admission. As

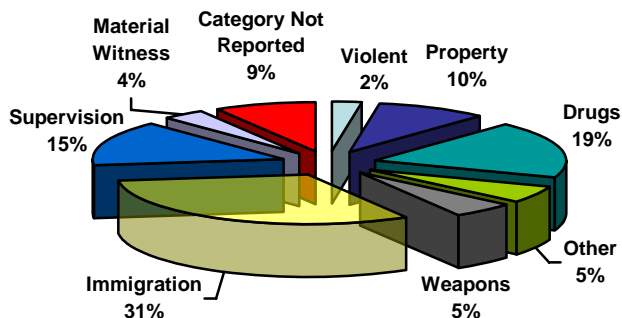
this has been adjusted, the historical bookings data has been modified and is slightly lower than previously reported.

Rate and Category of Bookings

The growth rate in federal arrests varies considerably by region and offense category, reflecting the law enforcement challenges and priorities of the US Attorneys.

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. In addition to tracking the general rate of growth in detention, it is

Persons Booked by the USMS by Type of Offense (as of September 2007)



also essential to track detention bookings by type of offense. The number of persons held for immigration offenses is growing at a faster rate than other offense categories. Because of district-level initiatives to expedite adjudication of immigration bookings, particularly in Western and Southern Texas, a substantial reduction in time-in-detention has been observed during FY 2007. For example, in Western and Southern Texas, expedited adjudication programs have resulted in detention stays as short as 15 days for some offenders. Accordingly, time in detention for immigration offenses has decreased by as much as 25 days since FY 2005.

Cooperative Agreement Program (CAP): 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. Historically, CAP funds were generally awarded in large amounts to a select number of state and local governments. Although the number of beds was guaranteed through CAP, the per diem rate was not. Accordingly, the local government was allowed to request per diem increases in the same manner as other IGAs.

OFDT is planning to revitalize CAP so that it can be leveraged for a long-term, fixed per diem rate, which allows for per diem rate increases within a fixed acceptable margin of growth; mirroring the length of the CAP agreement. This will ensure that the government receives the highest return on the capital investment for the entire period of the agreement. This is the same approach used when contracting for detention space with private industry.

Ideally, CAP will provide support in communities facing critical bed space shortages where the need is for a small number of detention beds. In locations where there is a need for large numbers of detention beds, private industry typically will invest in facilities because large detention facilities provide a greater return on investment. However, it is virtually impossible to outsource detention requirements for small populations because the return on investment is so low. A recent example that illustrates the point is in Marquette, Michigan. This judicial district has a need for 15 federal detention beds from the local facility. The local jurisdiction needs those beds for its own use. The closest alternative for the federal prisoner is 4½ hours away, which is not practical from an operational perspective for the courts, USMS, defense counsel, and the US Attorney’s office as the distance is too far to travel back and forth in one day. Here, in this example, CAP funds would be used to assist the community in providing for the additional 15 detention beds for a guaranteed number of years at a fixed rate, thus providing the most economical and operationally efficient option for housing federal detainees.

C.2 Budget Request - JPATS Transportation/DOJ Strategic Goal 3.1

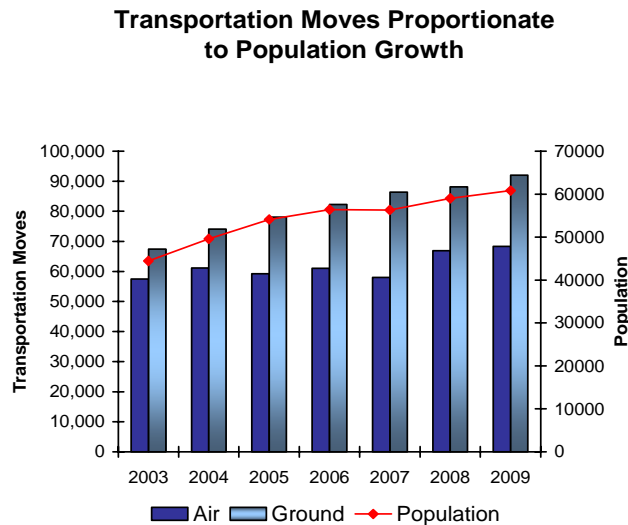
FY 2009 Request: OFDT requests \$32,920,416 for JPATS prisoner transportation. This includes \$29,310,416 for air transportation and \$3,610,000 for transportation support.

Adjustments-to-base: OFDT requests no adjustments-to-base. (See Exhibit B).

Program Changes: The request includes \$1,085,416 for air transportation increases along Southwest Border.

FY 2009 Transportation Moves

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



D. Full Program Cost

Full Program Cost by Program Activity		
Program Activity	Dollars In Thousands	
Detention Services	Housing & Subsistence	1,148,962
	Health Care Services	80,987
	Medical Guards	15,454
	Transportation	13,655
	Other	3,341
	Subtotal	1,262,399
JPATS Transportation	JPATS	32,920
Grand Total.....		\$1,295,319

OFDT’s program is designed to provide for the effective and efficient expenditure of detention resources. The FY 2009 budget request continues to support efforts across all program areas that have proven effective and funds strategies that support OFDT’s performance goals. OFDT’s base resources are used to initiate development of solutions to improve detention operations. Once these solutions are proven effective and are being implemented, the costs of operating and maintaining the functions become programmatic costs because these solutions directly impact the detention of prisoners. Base resources are then shifted to new program initiatives.

The bulk of these resources has been and will continue to be directed to IT infrastructure. One of OFDT’s greatest mission challenges is the state of technology within the detention community: pulling together data and processes of multiple agencies with disparate and incompatible legacy IT systems and capabilities. An effective IT backbone will support OFDT’s efforts to drive efficiencies in detention operations and processes.

OFDT has successfully implemented efficiencies in several areas including: eDesignate, which reduces post-sentencing time in detention; eIGA, which standardizes the pricing strategy for non-federal detention space, controlling costs and providing greater certainty in rates to be paid; and the Quality Assurance Program, which ensures non-federal facilities’ housing meets DOJ requirements for safe, secure and humane confinement. 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.

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. In FY 2009, base resources will be used to initiate the following solutions:

- Centralized Billing System. OFDT will contract for the design, development, and testing of an automated centralized detention invoicing and payment system. The system will be hosted on the web-based Detention Services Network (DSNetwork). The system will convert a decentralized and non-standardized manual invoicing process into a time- and cost-efficient, automated, web-based system. The system will automate payment to providers of bed space and medical services. Automating the billing and payment systems over a secure web-based Internet capability will significantly reduce the labor associated with the current manual systems. It will also result in a more efficient accounting system and provide automated analytical capabilities.

This initiative supports two of the Presidents Management Agenda (PMA) Goals; 1) PMA #3 Improved Financial Management; and 2) PMA #4 Expanding E-government. Timely and accurate financial reports on expenditures, products of the automated system, are critical to improving management, program performance, and overall cost effectiveness of the detention program. It is vital for agencies associated with detention to have reliable and functionally capable financial and performance reporting systems. The automated invoice and payment system will provide real-time information and reduce the administrative hours required to manually process and pay invoices.

- IT Architecture Modernization. OFDT IT staff and contractors will conduct a modernization assessment of the OFDT enterprise architecture. This effort will allow OFDT to maximize the agency's hardware and software investments while boosting operating efficiency and worker productivity.

OFDT is responsible for managing its IT infrastructure and programs. The technical complexity of OFDT's current enterprise IT architecture has rapidly increased due to the cumulative effect of years of changes and the addition of hardware and software. Modernization will improve the management of this complexity and increase infrastructure reliability while providing a foundation for future technological requirements. Technology consultants assess OFDT's enterprise IT architecture, compare it with those operated by other federal agencies, and assist IT staff in implementing modernization measures.

Without appropriate contract support to conduct the modernization assessment, the enterprise IT architecture will not be modernized and serious operational issues and problems will eventually develop. Significant additional costs will then be incurred to fix problems that the modernization assessment would have addressed.

- Cost-Benefit Analysis. OFDT will conduct a cost-benefit analysis to determine if transferring health care services for BOP-managed medical services to the

National Medical Managed-Care Contract would result in a cost savings. Currently, medical services (including guard and transportation costs) for detainees housed in certain BOP facilities are provided by BOP.

OFDT and BOP will work together to determine the actual costs for BOP medical services. These costs will then be compared to projected costs for providing the same or closely related services under the National Medical Managed-Care Contract.

By developing an accurate estimate of potential savings, OFDT could improve the financial management of federal detention services, which supports PMA goal #3 Improved Financial Management, and ultimately reduce the per capita cost of health care services provided to USMS detainees.

- OFDT Staff Positions. The Trustee is seeking to increase OFDT staff by 2 FTE to allow for succession planning, adequately address functions that are inherently governmental, address the imbalance of FTE to contractor staff, and accomplish work that is not able to be performed now. OFDT is a small policy office that develops policy and moves the detention program forward. Given the daily demands upon this small staff, the leadership aspect of their responsibilities suffers. While contractor support is available, the requested positions serve inherently governmental roles in managing funds, contracts, and people and will correct the FTE to contractor ratio. OFDT considers these positions so critical to the adequate management of the detention program that it will absorb the additional FTE cost within base resources.

To ensure that OFDT staffing needs are well represented, OFDT engaged an independent human capital management consultant to assess current operations and staffing levels for each division. This process included assessing current duties and workload and benchmarking core functions against organizations of similar size performing the same type of function to determine appropriate staffing levels.

The consultants determined that OFDT's request for additional staff is warranted. They concluded that OFDT staffing of current functions is lower than the expected benchmarks and the positions are inherently governmental and cannot be filled by outsourcing. They believe additional staff resources would give OFDT the ability to transfer and retain institutional knowledge as well as provide for professional development, drive additional initiatives, and accelerate current initiatives to improve the detention program. The positions requested and further justified are in "Section V" on page 35.

E. Mission Challenges

The internal and external mission challenges are incorporated into Section IV Decision Unit Justification (*See pages 15-34*).

F. Results of the Program Assessment Rating Tool (PART) Review

OFDT was reviewed in FY 2006 and received an “Effective” rating, achieving one of the highest scores in DOJ. This rating reflects OFDT’s management, accountability, and proven effectiveness and performance. As reported in PART, OFDT’s improvement plan includes:

- Automate the detention billing and payment system: The concept design is complete. OFDT is in the process of developing an FY 2008 Project Plan to capture the financial requirements, processes, and procedures which will establish milestones for system development requirements. OFDT will then fully develop the requirements and write the associated IT annex to the original Project Plan during FY 2008-2009. The IT system development will occur in FY 2009 with a pilot test and refinements occurring in FY 2010, culminating with implementation in FY 2011.
- Revitalizing and restructuring the Cooperative Agreement Program (CAP): The FY 2008 appropriation authorized up to \$5,000,000 for the Cooperative Agreement Program (CAP). Discussions regarding the concepts of CAP restructuring continue with a basic outline of the restructured program to be identified by second quarter of FY 2008 and implemented in FY 2008-2009.
- Developing a stronger capacity for program evaluation: The OFDT Quality Assurance Review (QAR) process is the appropriate vehicle for program evaluation per the PART requirements. Implementation of the QAR in this capacity will begin in FY 2008.

G. OFDT Organization

In December of 2007, Congress approved the proposed organization of the OFDT. This organization supports OFDT’s mandate to oversee detention management and to improve the operations and coordination of detention activities. In general, the new organizational structure provides better alignment to support: increased emphasis on strategic planning, outcome measurement, improved projection methodologies, strengthened financial management, enhanced program review of detention operations, and better linkage between performance and budget.

The Federal Detention Trustee and Deputy Federal Detention Trustee oversee 19 full-time equivalent employees organized into four primary divisions: Budget, Finance and Forecasting; Information Technology; Procurement; and Detention Standards and Compliance. The office of the General Counsel and the office of Administration and Management provide overall support to the office. In addition, the Assistant Trustee for Transportation coordinates the integration efforts of JPATS with the detention programs of OFDT.

The organization chart is shown at Exhibit A.

II. Summary of Program Changes

Item Name	Description	Pos.	FTE	Dollars (\$000)	Page
Southwest Border Enforcement	Anticipated increases in the number of detainees housed in non-federal detention facilities and associated costs (health, guards, etc) for Southwest Border and transportation due to increased immigration apprehensions along the Southwest Border.	...	...	37,570	35
FTE	2 FTE to permit adequate staffing to develop policy, to design and drive program initiatives, to adequately address functions that are inherently governmental, to address the imbalance of FTE to contractor staff, and to allow for succession planning.	2	2	Funded from base	37,39

Note: The positions requested are program increases that will be funded from base resources (See “OFDT Staff Positions” on page 11).

III. Appropriation Language

For necessary expenses of the Federal Detention Trustee, [\$1,225,920,000]
\$1,295,319,000 to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System:
Provided further, 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, 2008.)

Analysis of Appropriations Language

No substantive changes proposed.

IV. Decision Unit Justification

<i>Office of the Federal Detention Trustee</i>	Perm. Pos.	FTE	Amount
2007 Enacted	21	21	1,225,816
2008 Enacted	21	21	1,225,920
Adjustments to Base	...	...	85,563
2009 Current Services	21	21	1,311,483
2009 Program Increases	2	21	37,570
2009 Program Offsets			(53,734)
2009 Request	23	23	1,295,319
Total Change 2008-2009	...	...	69,399

A. Program Description

A.1 Detention Services

The mandate of the Detention Trustee is to manage detention resources, exercising financial supervision of detention operations and setting government-wide detention policy. OFDT has oversight responsibility for federal detention services relating to the detention of federal detainees.

Historically, the USMS has administered the federal prisoner detention program 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. Resources are expended at the time a prisoner is brought into USMS custody and extend through termination of the criminal proceeding and/or commitment to BOP.

The USMS is responsible for processing, housing, and producing federal detainees for all federal 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 “as effectively and efficiently as possible” through: (1) federal detention facilities, where the government pays for construction and subsequent operation of the facility through the BOP; (2) Intergovernmental Agreements (IGA) with state and local jurisdictions who have excess prison/jail bed capacity and receive a daily rate for the use of a bed; (3) private jail facilities where a daily rate is paid per bed; and, 4) CAP, where capital investment funding is provided to State and local governments for guaranteed detention bed space in exchange for a daily rate.

In recent years, DOJ has not been able to rely as much 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,

and no new federal detention facilities have been built. With space unavailable in areas where more federal bedspace is needed, DOJ has increasingly turned to the private sector. By 2009 the federal facilities' capacity will accommodate only 20.4% of the USMS detention population. By contrast, during FY 2000, federal facilities housed approximately 30% of the USMS detention population.

To provide for future detention needs as well as provide housing necessary to support the expansion of JPATS regional transfer centers (RTC), (*See page 27*) two new facilities will be constructed and are scheduled to be available in FY 2009:

Nevada Detention Center: Approximately 1,000 beds total will support the court city of Las Vegas, ICE and JPATS. The JPATS beds will assist in the effort to ensure west coast prisoners designated to west coast BOP facilities remain on the west coast and do not pass through Oklahoma City.

New Laredo, Texas Detention Center: Approximately 1,500 new beds from a competitively awarded contract will support the court city of Laredo, Texas. Once operational, a formerly used facility will be converted for use with approximately 1,000 beds available for an RTC, a staging area for in-state designations, and for "short-term" sentenced prisoners.

Both of these contracts have an extensive transportation requirement and performance measures to transport in-state designated prisoners to BOP facilities within approximately 7 days of designation.

Detention Services Efficiencies

Detention efficiencies have been discussed generally above. A more detailed discussion of OFDT accomplishments, efficiencies and cost containment measures is provided in *Section C: Performance, Resources, and Strategies (See pages 25-34)*.

A.2 JPATS Transportation

JPATS is responsible for the efficient movement of federal prisoners and detainees by air, including sentenced prisoners, pretrial detainees, and deportable aliens in the custody of the USMS, BOP, or ICE. JPATS operates as a revolving fund activity with total operating costs reimbursed by customer agencies. Reimbursement is calculated 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.

JPATS Efficiencies

From FY 2005 to FY 2007, OFDT funded special airlift missions to relieve overcrowding at 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 within available resources. In FY 2006, OFDT began a pilot program of increasing available in-transit housing through RTCs. Given that the data has demonstrated proven success, this program has been expanded (*See page 27*).

A.3 Information Technology (IT) Infrastructure

Expanding eGovernment for the purpose of driving efficiencies within the detention community continues to be a key strategy for OFDT. The current state of technology within the detention community remains characterized by multiple agencies with disparate and incompatible legacy IT systems and capabilities. Many of the automated processes used by these organizations are either, outdated and therefore incompatible with emerging systems, or 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 new, but proven, technologies will assist in streamlining detention operations and provide for monitoring and performance based reporting. To accomplish these goals, OFDT has been 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's IT Division Enterprise Architecture. In support of detention related technology programs, OFDT has established an Information Technology Project Management Office, creating a standardized Enterprise Architecture, which is Federal Information Security Management Act compliant within its Certification and Accreditation Program. Establishing these functions leverages IT best practices, maximizes the government's Return on Investment, and mitigates risk so that OFDT can lead the detention community in producing effective, cost-containing technology tools. A second phase of the Enterprise Architecture will begin implementation in FY 2008 continuing through FY 2009.

Highlights of recent IT-related accomplishments include:

- Created and exercised a Configuration and Control Board
- Partnered with Administrative Office for the United States Courts, USMS, and BOP IT to jointly develop technology and data sharing solutions
- Established an OFDT Help Desk to support 2,400 eDesignate users nation-wide
- Developed internal web standards
- Initiated a Centralized Account Management Module that serves to standardize the process and procedures for access and authentication across all OFDT systems;

- Created a multi-tiered OFDT Systems Training Program to include a computer training lab, a web-based distance learning program, and on-site training as well as created standardized system documentation and user handbooks; and
- Partnered with other agencies to create IT initiatives in support of detention related operations aiding USMS.

Key IT programs driving mission efficiencies include the cross-agency initiatives such as eDesignate and the DSNetwork.

eDesignate: The eDesignate system has become the method of choice for the Federal Courts, USMS, and BOP to process designations and initiate the movement of prisoners to their commitment location.

Delivering the necessary prisoner documents and data via a secure, electronic means to the BOP in one complete package and enabling all agencies to monitor and provide relevant information, when needed, have effectively shortened the post-sentence process thereby saving detention costs.



eDesignate training at OFDT

eDesignate not only eliminated a paper-based workflow process but also created the ability to automatically capture relevant detainee data from other agency systems. Specifically, success in passing detainee data associated with the required post-sentencing documentation across agency lines without having to duplicate efforts saves time, eliminates errors, provides better visibility of the process and serves to create the full information necessary to make prudent decisions.

Most notable to users and management, eDesignate has provided a streamlined business process that incorporates a more efficient and effective means of submitting, monitoring, communicating, and resolving designation cases between the Courts, the USMS, and the BOP. Finally, the use of this electronic process provides the infrastructure to establish and monitor performance based metrics.

Detention Services Network (DSNetwork): The concept of the Detention Services Network (DSNetwork) is that of a multifaceted, full-service internet site for detention services. The goal of DSNetwork is to significantly improve interaction between government agencies and service providers and reduce lengthy and cumbersome workloads. The DSNetwork site provides information to authorized detention stakeholders regarding detention service procurement, availability of detention bed space for federal use, and detention facility data. The detention services offerings initially planned are at various stages of implementation:

- **Electronic Intergovernmental Agreement (eIGA)**. The eIGA system is currently being piloted to manage the interaction between facility provider and a federal agency with detention services needs leading to an IGA. eIGA provides a reliable and justifiable structure for the negotiation process and automates the application process by collecting essential information from the facility via secure, interactive web forms and automatically routes them for review to federal agencies that might require the services. The system streamlines the former paper-based process, tracks the negotiation between detention provider and the government, and provides a full range of potential audit and reporting tools.
- **Facility Review Management System (FRMS)**. The FRMS is a web-based application that facilitates, standardizes, records, and reports the results of Quality Assurance Reviews (QAR) performed on private contracts and high-volume IGA facilities. Since its implementation, FRMS has been utilized successfully in numerous QARs and will provide the basis for data and trend analysis in FY 2008.
- **Multi-year Acquisition Plan (MAP)**. The MAP reached full implementation by FY 2008. This automated, web-based system is available for detention agency long-range planning.
- **Detention Services Schedule (DSS)**. The DSS is a future application to be hosted on DSNetwork. With a concept similar to the General Services Administration schedule, DSS will focus on detention bed space and services.

Once completed, the DSNetwork development will become the premier detention services site to provide procurement services for housing, transportation, and medical care as well as offer the government management analysis and reporting through electronic documentation and data collection.

The following represents OFDT’s Information Technology Program Base:

Information Technology Base	
Detention Services Network (DSNetwork)	913,000
OFDT Workflow Systems (OWS)	1,700,000
The Trustee Automated Office System (TAOS)	423,000
Detention Invoicing and Reconciliation System	750,000
Reimbursable Agreement - OCIO	200,000
Reimbursable Agreement - E-Gov – OCIO	260,000
Reimbursable Agreement - IT Security- OCIO	320,000
IT Division Salaries	526,843
Total	\$5,092,843

Note: Includes IT projects that will be funded from base resources (See “Centralized Billing System” and “IT Architecture Modernization” on page 10).

B. Performance and Resource Table

Decision Unit: Office of the Federal Detention Trustee DOJ Strategic Objectives:												
3.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement												
3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and /or sentencing and those in custody of the Federal Prison System												
Workload/Resources		Final Target		Actual		Projected		Changes		Requested (Total)		
		FY 2007		FY 2007		FY 2008 Enacted		Current Services Adjustments & Program Changes		FY 2009 Request		
Workload: Total Average Daily Population:		61,816		56,290		59,001		1,820		60,821		
State & Local Gov't (IGA) Facilities		40,240		36,380		38,711		1,775		40,486		
Private Facilities		8,276		7,433		7,405		45		7,450		
Subtotal Non-Federal Facilities		48,516		43,813		46,116		1,820		47,936		
Federal (BOP) Facilities		12,300		11,673		12,035		...		12,035		
Non-Paid Beds		1,000		804		850		...		850		
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 1,225,816		21 1,181,290		22 1,225,920		2 69,399		24 1,295,319		
Type/ Strategic Obj.	Performance/Resources	Final Target FY 2007		(Projected) Actual FY 2007		FY 2008		Current Svc & Prog. Changes		FY 2009 Request		
DOJ SO 3.3	Detention Services	Resources		Resources		Resources		Resources		Resources		
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		Direct Pres Bud:	...	1,188,673	...	1,136,887	...	1,184,413	...	68,170	...	1,252,583
		Support:	21	9,208	21	11,568	21	9,672	2	+144	23	9,816
	Total:	21	1,197,881	21	1,147,772	21	1,194,085	2	68,314	23	1,262,399	
Workload	Budgeted ADP - IGA	40,240		36,380		38,711		+176		38,887		
Workload	Budgeted ADP – Private	8,276		7,433		7,405		+45		7,450		
Efficiency	Per Day Jail Cost (Non-Federal)	\$67.09		\$64.40		\$65.62		+\$1.78		\$67.40		
Performance	Health Care Cost Per Capita (Non-Federal)	\$1,817		\$1,790		\$1,936		+\$22		\$1,958		
Performance	# Targeted Non-Federal Facility Reviews Completed	22		22		25		+2		27		
OUTCOME	Per Day Detention Cost	\$72.07		\$69.30		\$70.92		+\$1.84		\$72.76		
OUTCOME	Targeted Non-Federal Facilities Meeting Min Stds	86% 19 of 22		100% 22 of 22		92% 23 of 25**		+1% +2		93% 25 of 27		
DOJ SO 3.1	JPATS Transportation	Resources		Resources		Resources		Resources		Resources		
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		Direct Pres Bud:	-	27,935	...	32,835	-	31,835	-	1,085	-	32,920
		Support:	-	-	-	-	1	-	-	-	1	-
	Total:	-	27,935	-	32,835	1	31,835	-	1,085	1	32,920	
Workload	# Transportation Moves of USMS Prisoners - Air	65,603		58,029		66,915		+1,406		68,321		
Workload	# Transportation Moves of USMS Prisoners - Ground	86,832		86,372		88,134		+3,903		92,037		
Performance	Reduce "Wait Time" Designation to Commitment	17		21		Measure Discontinued						
OUTCOME	Transportation Unit Cost	\$1,069		\$950		\$1,105		+\$43		\$1,148		

Performance Measure Table

Decision Unit: Office of the Federal Detention Trustee

Performance Report & Performance Plan	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007		FY 2008	FY 2009
	Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Per Day Jail Costs (Non-Federal)	\$59.01	\$60.07	\$60.87	\$61.87	\$61.92	\$62.73	\$67.09	\$64.40	\$65.62	\$67.40
Health Care Cost Per Capita (Non-Federal)	\$1,522	\$1,640	\$1,495	\$1,529	\$1,610	\$1,820	\$1,817	\$1,790	\$1,936	\$1,958
# Targeted Facility Reviews (Non-Federal)	N/A	N/A	N/A	N/A	N/A	100% 20	22	22	25	27
# Transportation Moves of USMS Prisoners – Air	N/A	N/A	57,465	61,188	59,227	63,353	65,603	58,029	66,915	68,321
# Transportation Moves of USMS Prisoners – Ground	N/A	N/A	67,397	74,061	78,033	81,584	86,832	86,372	88,134	92,037
Reduce "Wait Time" in Detention from Designation to Commitment	N/A	N/A	N/A	21	20	16	17	21	Discontinued	
Per Day Detention Cost (Non-Federal)	\$63.18	\$64.56	\$64.97	\$66.06	\$66.33	\$67.72	\$72.07	\$69.30	\$70.92	\$72.76
Facilities Meeting Minimum Standards (Non-Federal)	N/A	N/A	N/A	N/A	N/A	95%* 19 of 20	86% 19 of 22	100% 22 of 22	92% 23 of 25**	93% 25 of 27
Transportation Unit Costs	N/A	N/A	N/A	N/A	N/A	\$1,001	\$1,069	950	\$1,105	\$1,148

**Note: FY 2006 data has been adjusted to be consistent with the refined Data Definition (page 24).*

*** Note: Although there will actually be 9 Private facilities in FY 2008, one facility will be under a new contract and that facility is given one year to achieve the standards identified in the new contract.*

Data Definitions, Validation, Verification, and Limitations:

Performance Measure: Paid Jail Days (IGA and Private)

Data Collection and Storage: Data are maintained in 94 separate district Prisoner Tracking System (PTS) databases. This information is downloaded on a nightly basis to the Justice Detainee Information System (JDIS). All prisoner statistical reporting now comes from the JDIS system. Jail rate information is maintained in PTS/JDIS by USMS Headquarters and is updated as changes are made to contractual agreements.

Data Validation and Verification: Monthly data from JDIS is verified each month by completing a comparison, by district, between obligation data being reported out of FMS and prisoner program data reported from JDIS. Jail rate information is verified and validated against actual jail contracts.

Data Limitations: Previous limitations on the access to timely data have been eliminated through the implementation of JDIS. Much more robust data reporting is available now than in the past. The only limitation is ensuring that USMS district level input into PTS occurs in a timely and correct manner.

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 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 Definitions: Targeted Non-Federal Facilities: All Private Facilities, all Intergovernmental Agreement (IGA) facilities with an average daily population (ADP) of approximately 500 or more, and other select facilities such as those involved in agency requested facility reviews.

Number of Targeted Reviews Completed: Targeted Non-Federal Facility Quality Assurance Reviews (QARs) completed during the fiscal year.

Meeting Minimum Standards: In the QAR review process, a facility may receive one of five rating levels: Excellent: Level of performance exceeds minimum standards, deficiencies are nonexistent or minor. Good: Level of performance meets minimum standards, deficiencies are minor and are offset by outstanding elements of performance. Acceptable: Level of performance meets minimum standards, deficiencies are minor. Deficient: Level of performance indicates performance is weak, corrective action plans for internal controls are needed to maintain minimum standards. At-Risk: Level of performance does not meet minimum standards and requires immediate corrective action plans. *Facilities must receive a rating above the At Risk level to be considered to be Meeting Minimum Standards.*

Targeted Number of Non-federal Facilities Meeting Minimum Standards: This percentage is calculated by dividing the Targeted Non-Federal Facilities Meeting Minimum Standards by the number of these facilities scheduled for review during the fiscal year.

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 are 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 inaccessible 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

Data Definition: The total cost per prisoner (transported by JPATS) incurred from the prisoner's point of origin to final destination. Component costs include the cost of transporting the prisoner (by air, bus, van, and car) and the cost of housing the prisoner while in-transit. The cost of BOP-provided in-transit housing is included as part of the reported housing costs.

Data Collection and Storage: Data describing prisoner movements and the costs associated with those movements are maintained in several databases. The USMS JPATS APSS data system maintains information describing prisoner movements such as the points of origin and final destination, how the prisoner was moved, and where the prisoner was housed, as applicable, while in-transit. The USMS JPATS JCAS data system maintains information describing the cost of air movements and JPATS-sponsored ground transportation. BOP provides information describing the cost of BOP-sponsored bus transportation. The USMS PTS data system provides information describing the cost of non-federal housing. Data are maintained on each prisoner transported by JPATS. Data from the various systems are aggregated together by OFDT to determine the prisoner-specific transportation costs.

Data Validation and Verification: Component data are provided to OFDT by the various agencies. OFDT validates the data for completeness and to ensure that the data provided are within historical parameters.

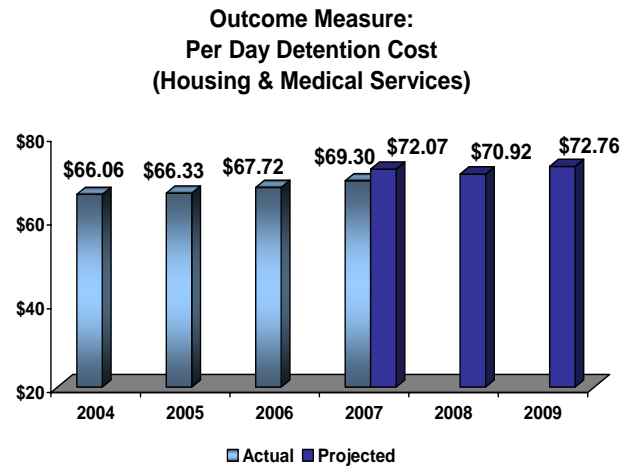
Data Limitations: Maintaining prisoner movement data is a labor-intensive process. The reliability of the component data is often compromised by unvalidated data entry. Accordingly, labor-intensive data analysis is often required to ensure that the data provided to OFDT passes certain logical tests. Additionally, data describing the cost of BOP-sponsored transportation is based on standardized formulae provided by the BOP for calculating the cost of operating their buses, the costs BOP-provided in-transit housing is based on BOP-reported per capita cost of operating BOP facilities, particularly the Federal Transfer Center in Oklahoma City.

C. Performance, Resources, and Strategies

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 Plan and Report:

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

FY 2007 Target: \$72.07

FY 2007 Actual: \$69.30

Challenge: Adequate Detention Beds

As state and local governments are requiring more of their available capacity to house their own prisoners, fewer detention beds are 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.

Strategy: Maximize the use of available bedspace via the DSNetwork

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, a Detention Services Schedule, detention facility review information, and other detention services and procurement data for agencies to assess, monitor, and manage detention bedspace. This initiative will allow field agencies increased flexibility to determine the best value to the Federal 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)

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. 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: Insufficient bedspace at mission critical locations

Previously, JPATS used a single Federal Transfer Center (FTC) which often operated at full capacity. When the facility was unable to process additional incoming prisoners, delays were created that retarded prisoner movements in other districts, thereby increasing the length of stay and resulting in increased housing costs. In FY 2006, OFDT facilitated the identification and implementation of Grady for use as an overflow facility for FTC Oklahoma and has since been able to increase the number of prisoner movements routed through Oklahoma City.

With the success of Grady as an overflow facility, OFDT recognized that additional RTCs strategically located near high detention populations and BOP facilities would further reduce the dependence on FTC Oklahoma and could result in additional detention time savings. In particular, OFDT analysis showed that locating an additional transfer center in the Central District of California, where a JPATS aircraft would stage overnight instead of returning to Oklahoma City, would significantly facilitate transfers along the west coast. Following the model of Grady, OFDT facilitated and identified the San Bernadino, California facility as one that could accommodate overnight prisoners, allowing the aircraft to remain in California, thus eliminating flight legs back and forth between Oklahoma and California. The San Bernadino agreement also provides for ground transportation between the airlift and the facility, along with transportation to other close proximity BOP facilities.

Strategy: Increase the number of Regional Transfer Centers

OFDT is currently analyzing other heavy detention population centers and BOP facility locations to determine the best location for approximately four other RTCs. The goal is to have a total of 2,000 relatively low cost transfer center beds available by the end of FY 2008. As discussed previously (*See page 16*), the new Nevada Detention Center and the New Laredo, Texas Detention Center will play critical roles in providing bed space for RTC purposes in FY 2009.



Grady County Detention Center, Oklahoma

These transfer centers will most likely use existing state, local or private jail facilities where OFDT will enter into agreements/contracts for the transfer center beds. Where practical and feasible, OFDT will negotiate transportation agreements with the jail facilities in order to augment and accelerate ground transfer to BOP facilities as well. Additional analysis will be conducted when identifying the best transfer center locations to determine if other overnight staging of JPATS aircraft is both feasible and provides significant cost and/or operational benefits.

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

Challenge: Projection of IGA Increases

DOJ utilizes IGAs to establish the relationship with a state or local government for the use of excess bedspace at a per diem rate. Per diem rates are subject to change. Accordingly, when a state or local government wants a rate adjustment, the agency submits information to DOJ. 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: eIGA

OFDT has developed eIGA to standardize the amount and the manner in which the Intergovernmental Agreement (IGA) rates for State and local facilities are calculated. eIGA 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. This allows the cost of housing detainees to be more predictive as historical trends and set prices are integrated to provide more comprehensive bedspace requirements. Implementation of eIGA extends over a 3-4 year period beginning in FY 2007, thus spreading program costs over a longer period.

Strategy: Reduce prisoner processing time (via: eDesignate)

As discussed previously, eDesignate provides for a more efficient workflow between the US Probation offices, the USMS, and the BOP during the sentence-to-commitment process. In addition, eDesignate reduces the workload of agency personnel involved in the administratively taxing designation process. At the end of FY 2007, 92 of the 94 Judicial Districts were using eDesignate.

Strategy: Increase use of detention alternatives

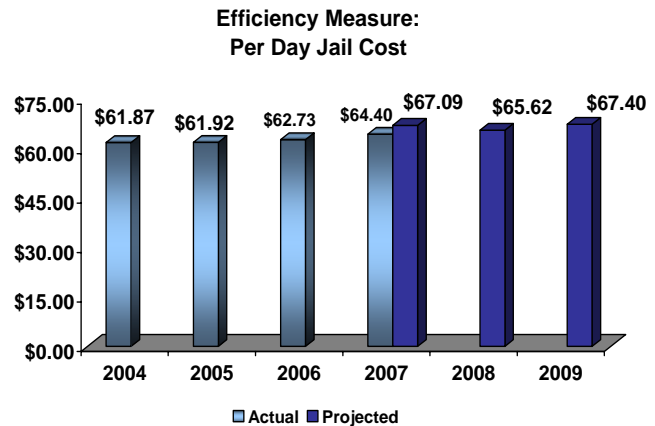
OFDT will continue to provide funding to the Federal Judiciary to support alternatives to pretrial detention, such as electronic monitoring, halfway house placement, and drug testing and treatment. The budgetary impact of these programs is significant. Historical data indicates that the federal detention account would have incurred additional detention costs of over \$28 million in FY 2006, if the defendants who were in the detention alternative program were detained in secure facilities.

Performance Plan and Report:

Measure: Per Day Jail Cost

FY 2007 Target: \$67.09

FY 2007 Actual: \$64.40



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 while minimizing the cumbersome process for field operations.

Strategy: National Medical Contract

To the extent possible, the USMS is leveraging a re-pricing strategy to achieve best practice. However, a national managed-care medical contract will provide a uniform, systematic approach that will reduce staff work hours and track medical savings nationwide. Accordingly, OFDT awarded a national managed-care medical contract

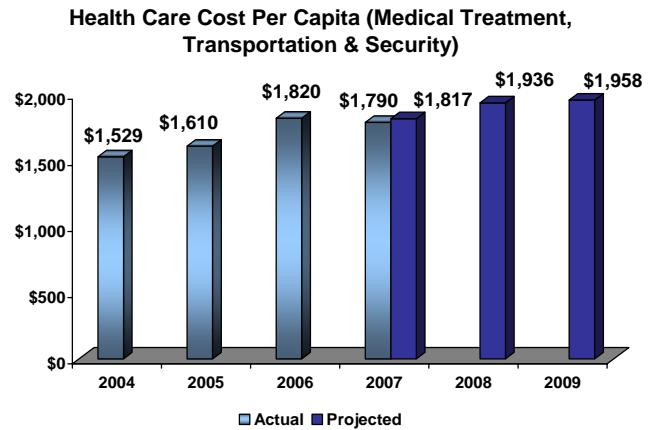
to meet the needs of the USMS, the legislative requirements of Medicare and Medicaid, and the Federal Acquisition Regulations.

Performance Plan and Report:

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

FY 2007 Target: \$1,817

FY 2007 Actual: \$1,790



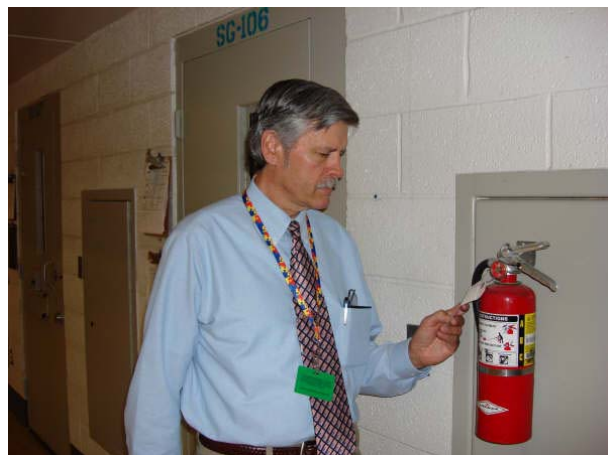
OFDT Strategic Goal 2: Ensure safe, secure, and humane confinement

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. The discussions below specify the mission challenges and strategies required to make the targeted levels attainable.

2.1: Ensure detention facilities meet established standards for confinement

Challenge: Varying Detention Standards

Concurrent with the desire to create efficiencies within detention is the need to ensure that facilities provide for the safe, secure, and humane confinement of detainees. This is especially challenging considering the vast number of state, local, and private facilities in use. The standards for confinement at these facilities vary according to local and state requirements. To address this issue, OFDT developed a comprehensive Quality Assurance Program to ensure that the facilities providing detention bed space to the Federal government meet a minimum condition of confinement standard.



QAR Review in Process at the Central Arizona Detention Center

Strategy: Implementation of a Comprehensive Quality Assurance Program

The OFDT Quality Assurance Program is a multi-faceted approach to ensure the safe, secure, and humane confinement of detainees as well as 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 National Detention Standards provide the foundation for the program, while the various program components ensure compliance to the standards. These components (listed below) cover all aspects of detention from construction to operational review and training.

- ***Performance-Based Contracts:*** To define acceptable conditions of confinement, OFDT created Federal Performance-Based Detention Standards (FPBDS) in cooperation and coordination with the BOP, USMS, and ICE. The FPBDS provides a system of objective checks and balances to ensure that all providers achieve and maintain the standards. Federal contract vehicles are written or modified to reflect the FPBDS for all private contract facilities and high-volume (ADP >500) state and local facilities. To ensure compliance with the standards, private contractor performance evaluation and compensation is based on each facility's ability to demonstrate alignment with the standards.

- ***Quality Assurance Reviews (QAR):*** The goal of the QAR program is to conduct on-site reviews for 100% of Targeted Non-Federal Facilities, which is defined as: all private facilities, all high-volume IGA facilities, and all agency requested reviews. The reviews identify facility deficiencies related to the delivery of contract services. Corrective actions are then identified by the



QAR Review in Process at the Central Arizona Detention Center

- facility and monitored by OFDT for resolution. The IT system, FRMS, will capture the data collected during the review process, permitting an analysis of trends and enabling the identification of high-risk facilities for annual QAR scheduling by FY 2009.
- ***Contract Monitoring Instrument (CMI) Training:*** This training provides the skill-set necessary to monitor private and large IGA detention facilities to ensure the safe, humane, and secure detention services.
 - ***Contract Monitoring and Enforcement Training (CMET):*** This training provides instruction on Contractor Officer Technical Representative (COTR) roles and responsibilities of administering and monitoring detention facility performance-based contracts. It includes the identification of services vulnerable to inflated costs, how to document trends, as well as what steps to take to enforce contract compliance.

- **Annual Regional Training on Best Practices:** This training will establish and share best practices for effective detention management.
- **Private Detention Facility Construction and Activation Monitoring:** To ensure that newly constructed facilities meet all aspects of the FPBDS in addition to local and state requirements, OFDT has awarded a contract to monitor private detention facility construction and activation.

As the QAR program enters its second year, early indications are that there is a marked improvement in the quality of detention services. Specifically notable is the reduction in repeat deficiencies. It is anticipated that the cumulative effect of these improvements will result in increased ratings and services.

Outcome Measure: Percent of Targeted Non-Federal Facilities Meeting Minimum Standards					
Facility Type	2006 Actual	2007 Target	2007 Actual	2008 Target	2009 Target
IGA (ADP>500)	91%* (10 of 11 facilities)	85% (11 of 13 facilities)	100% (13 facilities)	88% (14 of 16 facilities)	88% (14 of 16 facilities)
Private	100% (9 of 9 facilities)	89% (8 of 9 facilities)	100% (9 facilities)	100% (9 facilities)	100% (11 facilities)
Total Targeted Non Federal	95%* (19 of 20 facilities)	86% (19 of 22 facilities)	100% (22 facilities)	92% (23 of 25 facilities)	93% (25 of 27 facilities)

Performance Plan and Report:

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

FY 2007 Target: 19 of 22 (86%)

FY 2007 Actual: 22 of 22 (100%)

**Note: FY 2006 data has been adjusted to be consistent with the refined Data Definition (page 24).*

*** Note: Although there will actually be 9 Private facilities in FY 2008, one facility will be under a new contract and that facility is given one year to achieve the standards identified in the new contract.*

Program Activity: JPATS Transportation

OFDT Strategic Goal 3: Increase the efficiency of the JPATS program

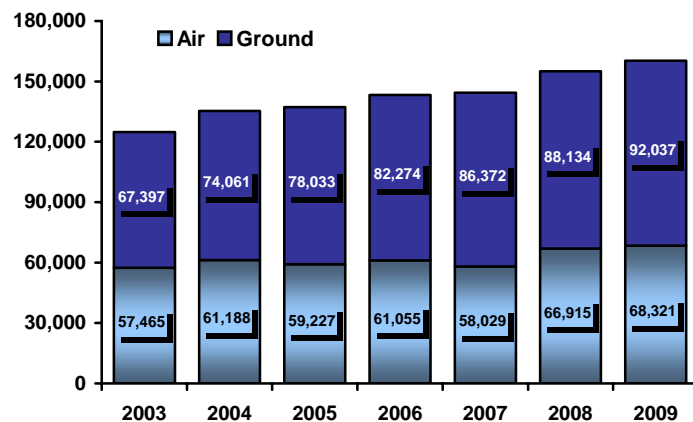
To measure success toward achieving this strategic goal, OFDT established a performance goal of holding detention transportation costs at or below inflation. The discussions that follow specify the mission challenge and strategies required to make the targeted level attainable.

3.1: Move prisoners faster within available resources

Challenge: Increasing demands on limited resources

The demand for transportation will continue to rise with the increase in detainee population. Given limited resources and uncontrollable increases in fuel prices, OFDT must look for innovative solutions to create greater efficiency within the current infrastructure. The interdependence of transportation and housing within detention operations preclude addressing one without having an impact on the other. Therefore, any strategy meeting this challenge must take into consideration both aspects. The strategies to increase the number of transfer centers and the reduction in “wait time” in detention from designation to commitment (via eDesignate) have already been discussed.

Transportation of USMS Prisoners
(Proportion of Air to Ground Moves)



Strategy: 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 and merge those procedures into existing strategies. This will have the impact of reducing the burden on air transportation and the cost per move. However, as transportation and housing cost are interdependent, the new performance measure, Transportation Unit Cost (below) will capture both elements from the detainee’s point of origin to the final destination. With additional RTCs in place, bedspace bottlenecks will be reduced, thereby permitting a more efficient transportation flow and an overall reduction in the cost (housing plus transportation) per move.

Performance Plan and Report:

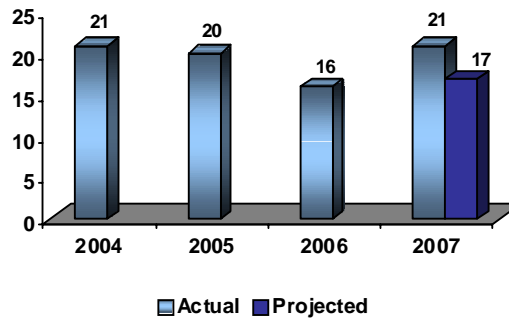
Measure: Discontinued: Reduce “Wait Time from Design to Commitment

FY 2007 Target: 17 Days

FY 2007 Actual: 21 Days

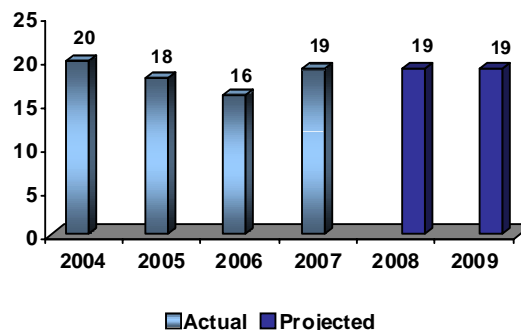
Discussion: The target was missed by 4 days. An analysis of the data revealed that between fiscal year 2006 and fiscal year 2007, BOP reported a 16% increase in the number of USMS prisoners designated, transported, and committed to BOP institutions. This increase did not impact all 94 judicial districts in the same manner, *i.e.*, for some districts the number of prisoners increased while in other districts the number of prisoners decreased or remained constant. Accordingly, as a result of the disproportionate population change across districts, national-level statistics relating to critical performance metrics such as the average time interval between a prisoner’s designation to a BOP facility and the prisoner’s actual commitment to that facility were substantially distorted. In addition, given the fact this effort was short term in duration/effect with no further reduction in wait time anticipated, the measure has been discontinued.

Discontinued Measure: Reduce "Wait Time" from Designation to Commitment



However, to further account for the observed district-level changes in population on the performance metrics, the national-level statistics describing the interval between designation and commitment for fiscal year 2007 were deflated to account for the changes in the district level populations between fiscal year 2006 and fiscal year 2007. Consequently, had the district-level prisoner populations not changed, the average length of time between designation and commitment would have been 19 days as opposed to the 21 days. Using fiscal year 2006 as the base year, the average time intervals were re-calculated for fiscal year 2004 and 2005. As a result, these statistics were adjusted from 21 and 20 days for fiscal years 2004 and 2005, respectively, to 20 days and 18 days. As shown in the graph below.

Deflated "Wait Time" from Designation to Commitment



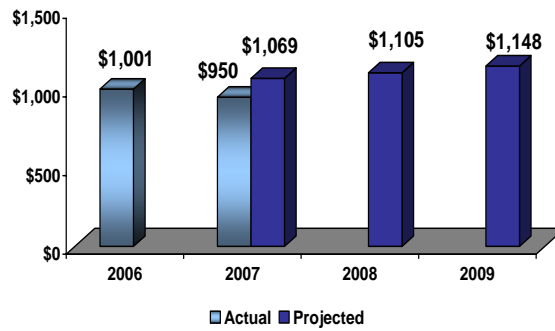
Note: The economic theories and principles used to calculate the “deflator” are the same as those used by the Bureau of Labor Statistics to adjust the Consumer Price Index (CPI) and Producer Price Index (PPI) for changing market baskets. (See, International Monetary Fund. Producer Price Index Manual: Theory and Practice. 2004.) In the case of the CPI, quantities and quality of products are “fixed,” or held constant, across time periods to minimize the effect of product substitution and/or changing demand on of measures of inflation.

Measure: Transportation Unit Cost (Transportation via JPATS & Related Housing Cost)

FY 2007 Projection: \$1,069

FY 2007 Actual: \$950

Outcome Measure:
Transportation Unit Cost
(Transportation via JPATS & Related Housing Cost)



V. Program Increases by Item

Note: The positions requested are program increases that will be funded from bases resources. (See “OFDT Staff Positions” on page 11).

Detention of Prisoners

Item Name: Southwest Border Enforcement
Budget Decision Unit(s): Office of the Federal Detention Trustee
Strategic Goal(s) & Objective(s): Goal 3.3
Organizational Program: Detention Services

Component Ranking of Item: 1 of 3

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$37,570,000

Description of Item

To accommodate an anticipated increase in the number of detainees housed in non-federal facilities, the OFDT requests \$36,484,584, for costs associated with prisoner detention and care for the Southwest Border Prosecutorial initiative. Due to increased immigration apprehensions, the OFDT requests \$1,085,416 for JPATS transportation to support activities along the Southwest Border.

Justification

The program increase is to accommodate the increased housing requirements for criminal aliens apprehended along the Southwest border and prosecuted in U.S. district court during FY 2009. The program increase is \$37,570,000. This program increase will support an average of 1,820 additional detainees at an average per diem rate of \$67.40. Based on the anticipated length of stay in detention for immigration offenders (83.7 days), the program increase will support detention housing for an additional 8,000 immigration offenders apprehended by the DHS and booked by the U.S. Marshals Service for a criminal offense. The increase also will provide JPATS transportation support for activities along the Southwest Border.

Impact on Performance

The OFDT requires additional resources to house all federal detainees and support activities along the Southwest Border. Without this increase, OFDT will be unable to house and transport all federal detainees committed to its custody.

Funding

Base Funding

FY 2007 Enacted				FY 2008 Enacted				FY 2009 Current Services			
Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)
...	1,047,005	...	...	...	1,184,413	...	...	...	1,269,844
...	27,935	...	...	...	31,835	...	...	...	31,835

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2009 Request (\$000)	FY 2010 Net Annualization (Change from 2009) (\$000)
Housing of Prisoners	60.27	605,390	36,485	...
Prisoner Transportation	...	...	1,085	...
Total Non-Personnel	60.27	605,390	37,570	...

Note: For the purpose of this exhibit, the average unit cost for detention and detention-related services associated with the increased number of required detention bed days is \$60.27. The unit cost reported in other exhibits reflects the average cost for 17.5 million non-federal bed days to be purchased by the USMS during FY 2009, to include locations where the unit cost paid is substantially higher than the average unit cost. The program increase reflects the actual cost of where the additional prisoners are expected to be housed.

Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services				...	1,301,679	1,301,679
Increases				...	37,570	37,570
Offsets					53,734	53,734
Grand Total				...	1,285,515	1,285,515

Information Technology Division

Item Name: **Deputy Chief Information Officer GS-14/15**

Budget Decision Unit(s): Office of the Federal Detention Trustee

Strategic Goal(s) & Objective(s): Goal 3.3

Organizational Program: Detention Services

Component Ranking of Item: 2 of 3

Program Increase: Positions 1 Agt/Atty 0 FTE 1 Dollars [\$118,000]

Description of Item

This position will support the Chief Information Officer (CIO) in the administrative operation of the office and its responsibilities as well as manage a portion of the IT program.

Justification

This budget includes position requests that have certain elements in common: they are all serving a support function as well as attempting to design and drive program initiatives. Unlike other components, OFDT is a small policy office that relies upon positions that are typically support in nature to develop policy and move the detention program forward. Given the daily demands upon this staff, the leadership aspect of their responsibilities suffers. While contractor support is available, these positions serve inherently governmental roles in managing funds, contracts, and people. Currently, the ratio of FTE to contractor support is out of balance. In order to adequately manage the detention program OFDT requests four additional positions including a Deputy Chief Information Officer.

OFDT is developing a strategy that aligns the operational needs of the detention community with new, but proven, technologies that will assist in streamlining detention operations and provide for monitoring and performance-based reporting. OFDT also has been 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.

To ensure successful development and implementation of this strategy and produce quality, customer-centric, cost-effective technical solutions, the Information Technology Division requires a Deputy Chief Information Officer to support the CIO in the administrative operation of the Division.

Specifically, this requested position will:

- Develop and/or monitor IT policy, guidance and regulations.
- Assist the CIO in division planning and resource management to include workforce management, acquisition management, requirements management, and configuration management.
- Oversee the budget formulation, tracking, reporting, and supporting budgetary documentation.
- Work with the OFDT Project Management Office to define and develop OFDT's IT architecture to ensure it meets the needs of the organization and integrates innovative technologies.
- Direct the information systems quality assurance and independent system and infrastructure acceptance testing.
- Monitor and coordinate responses to requests for information from oversight government offices and from the public under the Freedom of Information Act.

The IT Division relies heavily on contractor staff to support the development and implementation of OFDT's technology programs. OFDT employees constitute 21 percent of IT Division staff, with contractor staff constituting the remaining 79 percent. It is evident that OFDT's reliance on contractor staff is substantial and the need for oversight is necessary. The position requested will improve the high contractor to FTE ratio and will realign the excessive workload of the current IT manager who is providing direction and oversight to contract staff. This position is inherently governmental as only a federal employee can oversee contract staff.

Impact on Performance

In order for OFDT to continue to effectively develop a comprehensive IT environment that drives infrastructure improvements and meets the needs of detention operations, OFDT must have a Deputy Chief Information Officer to manage the administrative functions of the Office of the Chief Information Officer (OCIO). Establishing dedicated staff responsible for monitoring IT policy, managing resources and administering the OFDT Information Technology Enterprise Architecture enables the CIO to dedicate her efforts in essential strategic planning, direction, and oversight for the division.

Without this position, OFDT IT Division risks not being able to meet OFDT's key strategy of expanding eGovernment for the purpose of driving efficiencies within the detention community. Also, progress in developing and operating a comprehensive IT environment could potentially slow down and become increasingly difficult. Without a Deputy CIO, the CIO does not have sufficient resources to run the division and dedicate the time necessary to develop effective strategic planning, comprehensive process improvement roadmaps, and realistic investment forecasting.

Procurement Division

Item Name: **Deputy Chief Contracting Officer GS-14/15**

Budget Decision Unit(s): Office of the Federal Detention Trustee

Strategic Goal(s) & Objective(s): Goal 3.3

Organizational Program: Detention Services

Component Ranking of Item: 3 of 3

Program Increase: Positions 1 Agt/Atty 0 FTE 1 Dollars [\$118,000]

Description of Item

This position will provide contract administration of approximately 9,000 outsourced detention beds provided by private detention services providers. The requested position will provide federal contract expertise to support the safe, secure, and humane housing of federal prisoners, to include the supervision of 3 staff and 2 contract positions.

Justification

This budget includes position requests that have certain elements in common: they are all serving a support function as well as attempting to design and drive program initiatives. Unlike other components, OFDT is a small policy office that relies upon positions that are typically support in nature to develop policy and move the detention program forward. Given the daily demands upon this staff, the leadership aspect of their responsibilities suffers. While contractor support is available, these positions serve inherently governmental roles in managing funds, contracts, and people. Currently, the ratio of FTE to contractor support is out of balance. In order to adequately manage the detention program OFDT requests two positions including a Deputy Contracting Officer (CO).

The requested position will share management responsibilities for administration of contracts for the housing of federal prisoners in private detention facilities and improvement of IGA. Increases in the Federal detainee population coupled with increases and costs in state and local jail occupancy levels and the prohibitive costs for federal construction are forcing DOJ to turn to private detention facilities for detention space. OFDT will increase its administration by 100 percent, from 4,500 beds to 9,000 beds by FY 2009.

DOJ began using private non-federal secure detention facilities in the 1990s to handle population growth. The intent was to use these resources temporarily until the needs could be met through Federal and State and Local facilities. However, population growth has continued and private facilities have become a lasting critical part of the detention mission. Today, the Department's detention contracts have an average value of \$650

million each and an average term of 20 years. In detention contracts alone, the Procurement Division will be managing approximately \$7.8 billion in contract actions.

Historically, the USMS used its Cooperative Agreement Program (CAP) to provide money to local jails for fund expansion in return for guaranteed jail space for federal detainees. However, because funding has not been appropriated for the CAP since FY 2004, the USMS expects to lose more guaranteed bed spaces. Replacements for many of these beds will have to be sought through private contracts.

Ensuring availability of sufficient bed space for the increasing detention population requires continuous monitoring and frequent adjustments by OFDT, USMS, BOP, and ICE. OFDT must be proactive and develop a sound strategy to identify and procure sufficient bed space to meet detainee requirements and provide the best value to the Federal Government. Ensuring an adequate staffing level of COs to handle the projected increase in private contracts is paramount to the mission of OFDT. COs are government employees, who by virtue of a Warrant, are empowered to negotiate, award, administer, modify, cancel, or terminate contracts on behalf of the government. This position is inherently governmental and cannot be filled by outsourcing.

Impact on Performance

Without sufficient COs, the Procurement Chief will have little time to devote to development of long-range planning and program policy and direction.

VI. Program Offsets by Item

OFDT has a program offset in the amount of \$53,734,000 due to efficiency measures and implemented cost savings.

VII. E-Gov Initiatives

The Justice Department is fully committed to the President's Management Agenda (PMA) and the e-Government initiatives that are integral to achieving the objectives of the PMA. The e-Government initiatives serve citizens, business, and federal employees by delivering high quality services more efficiently at a lower price. The Department is in varying stages of implementing e-Government solutions and services including initiatives focused on integrating government wide transactions, processes, standards adoption, and consolidation of administrative systems that are necessary tools for agency administration, but are not core to DOJ's mission. To ensure that DOJ obtains value from the various initiatives, the Department actively participates in the governance bodies that direct the initiatives and we communicate regularly with the other federal agencies that are serving as the "Managing Partners" to ensure that the initiatives meet the needs of the Department and its customers. The Department believes that working with other agencies to implement common or consolidated solutions will help DOJ to reduce the

funding requirements for administrative and public-facing systems, thereby allowing DOJ to focus more of its scarce resources on higher priority, mission related needs. DOJ's modest contributions to the Administration's e-Government projects will facilitate achievement of this objective.

A. Funding and Costs

The Department of Justice participates in the following e-Government initiatives and Lines of Business:

Business Gateway	E-Travel	Integrated Acquisition Environment	Case Management LoB
Disaster Assistance Improvement Plan	Federal Asset Sales	IAE - Loans & Grants - Dunn & Bradstreet	Geospatial LoB
Disaster Assist. Improvement Plan - Capacity Surge	Geospatial One-Stop	Financial Mgmt. Consolidated LoB	Budget Formulation and Execution LoB
E-Authentication	GovBenefits.gov	Human Resources LoB	IT Infrastructure LoB
E-Rulemaking	Grants.gov	Grants Management LoB	

The Department of Justice e-Government expenses – i.e. DOJ's share of e-Gov initiatives managed by other federal agencies – are paid for from the Department's Working Capital Fund. These costs, along with other internal e-Government related expenses (oversight and administrative expenses such as salaries, rent, etc.) are reimbursed by the components to the WCF. The OFDT reimbursement amount is based on the anticipated or realized benefits from an e-Government initiative. The table below identifies the {component}'s actual or planned reimbursement to the Department's Working Capital Fund. As such, the OFDT e-Government reimbursement to the WCF is \$178,000 for FY2008. The anticipated OFDT e-Government reimbursement to WCF is \$224,000 for FY2009.

B. Benefits

OFDT will recognize no significant savings.

A: Organizational Chart

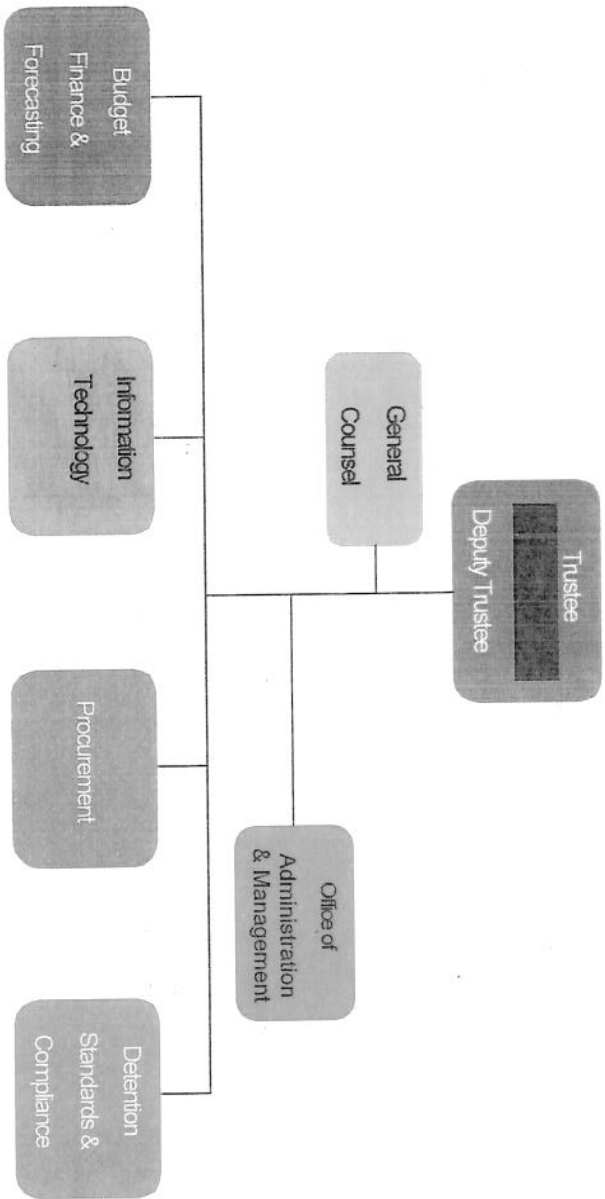


Exhibit A - Organizational Chart

B: Summary of Requirements

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

	FY 2009 Request		
	Perm. Pos.	FTE	Amount
2007 Enacted	21	21	1,225,816
2007 Revised Continuing Appropriations Resolution	21	21	1,225,816
Total 2008 Enacted (with Rescissions and Supplementals)	21	21	1,225,920
Adjustments to Base			
Increases:			
2009 pay raise (2.9%)			68
2008 pay raise annualization (3.5%)			26
FERS law enforcement retirement contribution			5
Retirement			2
Health Insurance			8
GSA Rent			34
DHS Security Charge			1
Base Program Cost Adjustment			60,000
Jail Day Increase			22,323
Medical Hospital Service Cost			3,108
Subtotal Increases			85,575
Decreases:			
Change in compensable days			(12)
Total Adjustments to Base			85,563
2009 Current Services	21	21	1,311,483
Program Changes			
Increases			
Southwest Border Enforcement	---	---	37,570
OFDT Staff Increase	2	2	---
Subtotal Increases	2	2	37,570
Offsets			
Program Adjustment			(53,734)
Total Program Changes	2	2	(16,164)
2009 Total Request	23	23	\$1,295,319
2008 - 2009 Total Change	2	2	69,399

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

	2007 Appropriation Enacted			2008 Enacted			2009 Adjustments to Base			2009 Current Services			2009 Increases			2009 Offsets			2009 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Estimates by budget activity																					
Office of the Federal Detention Trustee	21	21	1,225,816	21	21	1,225,920	---	---	85,563	21	21	1,311,483	2	2	37,570	---	---	(53,734)	23	23	1,295,319
Reimbursable FTE																					
Total FTE		21			21						21			2						23	
Other FTE:																					
LEAP																					
Overtime																					
Total Comp. FTE		21			21						21			2						23	

C: Program Increases/Offsets By Decision Unit

FY 2009 Program Increases/Offsets By Decision Unit
 Office of the Federal Detention Trustee
 (Dollars in Thousands)

Program Increases	Location of Description by Decision Unit	Detention Services and JPATS				Total Increases
		Pos.	Agt./Atty.	FTE	Amount	
Southwest Border Enforcement	OFDT	---	---	---	37,570	37,570
OFDT Staff	OFDT	2	---	2	---	---
Total Program Increases		2	---	2	\$37,570	\$37,570
Program Offsets	Location of Description by Decision Unit					Total Offsets
		Pos.	Agt./Atty.	FTE	Amount	
Program Adjustment	OFDT	---	---	---	(53,734)	(53,734)
						0
Total Offsets		---	---	---	(\$53,734)	(\$53,734)

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	2007 Appropriation Enacted		2008 Enacted		2009 Current Services		2009				2009 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
							Direct FTE	Amount \$000s	Direct FTE	Amount \$000s		
Goal 3: Ensure the Fair and Efficient Administration of Justice												
3.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement	---	27,935	---	31,835		31,835	---	1,085	---	---	---	32,920
3.2 Ensure the apprehension of fugitives from justice												
3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the Federal Prison System	21	1,197,881	21	1,194,085	21	1,279,648	2	36,485	---	(53,734)	23	1,262,399
3.4 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards											0	0
3.5 Adjudicate all immigration cases promptly and impartially in accordance with due process											0	0
3.6 Promote and strengthen innovative strategies in the administration of State and local justice systems											0	0
3.7 Uphold the rights and improve services to America's crime victims											0	0
Subtotal, Goal 3	21	1,225,816	21	1,225,920	21	1,311,483	2	37,570	---	(53,734)	23	1,295,319
GRAND TOTAL	21	\$1,225,816	21	\$1,225,920	21	\$1,311,483	2	\$37,570	---	(\$53,734)	23	\$1,295,319

E. Justification for Base Adjustments

Justification for Base Adjustments Office of the Federal Detention Trustee

Increases

2009 pay raise. This request provides for a proposed 2.9 percent pay raise to be effective in January of 2009 (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, \$68,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$49,000 for pay and \$19,000 for benefits).

Annualization of 2008 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2008 pay increase of 3.5 percent included in the 2008 President's Budget. The amount requested \$26,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ \$19,000 for pay and \$7,000 for benefits).

FERS Law Enforcement Retirement Contribution. Effective October 1, 2007, the FERS contribution for Law Enforcement retirement increased from 25.1% to 26.2%, or a total of 1.1% increase. The amount requested, \$5,000, represents the funds needed to cover this increase.

Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$2,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Health Insurance: Effective January 2007, this component's contribution to Federal employees' health insurance premiums increased by 5.9 percent. Applied against the 2008 estimate of \$129,000, the additional amount required is \$8,000.

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 \$34,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective in FY 2009 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. Rate increases have been formulated based on GSA rent billing data.

DHS Security Charges. The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$1,000 is required to meet our commitment to DHS. The costs associated with DHS security were derived through the use of an automated system, which uses the latest space inventory data. Rate increases expected in FY 2009 for Building Specific Security have been formulated based on DHS billing data. The increased rate for Basic Security costs for use in the FY 2009 budget process was provided by DHS.

Base Program Cost Adjustment. This adjustment of \$60,000,000 provides base program resources to offset shortfalls in the 2008 Enacted appropriation.

Jail Day Increase. Additional resources of \$22,323,000 are required to fund the increased cost of commodities and services for the 2008 detainee jail days in 2009. The increased per diem paid to each detention facility used is \$1.42 over the FY 2008 projected level. This inflationary adjustment reflects the average increase in per diem paid to facilities between 2000 and 2007.

Medical Hospital Service Cost. The Department of Health and Human Services is projecting an increase in health cost. The Department is applying the current CPI-U factor of 5.6 against medical expenses incurred on behalf of detainees in the Department's custody. An increase of \$3,108,000 will be required for 2009.

Decreases

Changes in Compensable Days: The decrease costs of one compensable day in FY 2009 compared to FY 2008 is calculated by dividing the FY 2008 estimated personnel compensation \$9,000 and applicable benefits \$3,000 by 261 compensable days. The cost decrease of one compensable day is \$12,000.

F: Crosswalk of 2007 Availability

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

Decision Unit	FY 2007 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Federal Detention Trustee	21	21	1,225,816	---	---	---	---	---	---	---	---	---	---	---	93,442	21	21	1,319,258

Unobligated Balances. 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 services and recoveries of 7,8

G: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability
 Office of the Federal Detention Trustee
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	FY 2008 Enacted			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Federal Detention Trustee	21	21	1,225,920	---	---	(145,000)	---	---	---	---	---	---	---	---	137,732	21	21	1,218,652

Unobligated Balances. Funds were carried over from FY 2007 from the 0136X account. The OFDT brought forward \$137,732 from funds provided in 2007 for detention services.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Office of the Federal Detention Trustee

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2007 Enacted			2008 Planned			2009 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Bureau of Prisons	---	---	1,500	---	---	600	---	---	600	---	---	---

I: Detail of Permanent Positions by Category

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

Category	2007 Enacted		2008 Enacted		2009 Request					
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Senior Executive	1		1						1	
Clerical and Office Services (300-399)	12		12			2		2	14	
Accounting and Budget (500-599)	3		3						3	
Attorneys (905)	2		2						2	
Statistician (1530)	1		1						1	
Business & Industry (1100-1199)	2		2						2	
Total	21		21			2		2	23	
Headquarters (Washington, D.C.)	21		21			2		2	23	
U.S. Field										
Foreign Field										
Total	21		21			2		2	23	

J: Financial Analysis of Program Changes

Financial Analysis of Program Changes

Office of the Federal Detention Trustee

Salaries and Expenses

(Dollars in Thousands)

Grades:	Office of the Federal Detention Trustee				Program Changes	
	Housing of Prisoners		JPATS Transportation		Pos.	Amount
	Pos.	Amount	Pos.	Amount		
GS-15	2				2	---
Total positions & annual amount	2	---	---	---	2	---
Total FTE & personnel compensation	2	---	---	---	2	---
Personnel benefits					---	---
Travel and transportation of persons					---	---
Transportation of things					---	---
GSA rent					---	---
Communication, rents, and utilities					---	---
Printing					---	---
Advisory and assistance services					---	---
Other services		36,485		1,085	---	37,570
Purchases of goods & services from Government accounts					---	---
Research and development contracts					---	---
Operation and maintenance of equipment					---	---
Supplies and materials					---	---
Equipment					---	---
Total, 2009 program changes requested	2	\$36,485	0	\$1,085	2	\$37,570

K: Summary of Requirements by Grade

Summary of Requirements by Grade

Office of the Federal Detention Trustee
Salaries and Expenses

Grades and Salary Ranges	w/Rescissions and Supplementals		2008 Enacted		2009 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$111,676 - \$168,000	1		1		1			
GS-15, \$110,363 - 143,471	8		8		10		2	
GS-14, \$93,822 - 121,967	6		6		6			
GS-13, \$79,397 - 103,220	5		5		5			
GS-12, \$66,767 - 86,801								
GS-11, \$55,706 - 72,421								
GS-10, 50,703 - 65,912								
GS-9, \$46,041 - 59,852	1		1		1			
GS-8, 41,686 - 54,194								
GS-7, \$37,640 - 48,933								
GS-6, \$33,872 - 44,032								
GS-5, \$30,386 - 39,501								
GS-4, \$27,159 - 35,303								
GS-3, \$24,194 - 31,451								
GS-2, \$22,174 - 27,901								
GS-1, \$19,722 - 24,664								
Total, appropriated positions	21		21		23		2	
Average SES Salary		164,000.00		\$169,084		\$172,804		
Average GS Salary		94,443.00		\$97,371		\$99,513		
Average GS Grade								

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	2007 Actuals		2008 Enacted		2009 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	21	2,305	21	2,487	23	2,555	2	68
11.3 Other than full-time permanent					0	0	0	0
11.5 Total, Other personnel compensation	0	10	0	10	0	10	0	0
<i>Overtime</i>		10		10		10	0	0
<i>Other Compensation</i>							0	0
11.8 Special personal services payments							0	0
Total	21	2,315	21	2,497	23	2,565	2	68
Other Object Classes:								
12.0 Personnel benefits		643		696		722		26
21.0 Travel and transportation of persons		119		125		125		0
22.0 Transportation of things		6		12		12		0
23.1 GSA rent		460		544		544		0
23.3 Comm., util., & other misc. charges		156		201		201		0
24.0 Printing and reproduction		12		13		13		0
25.1 Advisory and assistance services		7,717		7,282		7,282		0
25.2 Other services		50,656		38,361		48,126		9,765
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)								0
25.6 Medical Care		81,269		81,269		96,441		15,172
25.8 Housing of Prisoners		1,037,797		1,094,778		1,139,146		44,368
25.7 Operation and maintenance of equipment								0
26.0 Supplies and materials		48		49		49		0
31.0 Equipment		92		93		93		(0)
Total obligations		\$1,181,290		\$1,225,920		\$1,295,319	2	\$69,399
Unobligated balance, start of year		85,576		(137,732)		---		
Unobligated balance, end of year		137,732						
Recoveries of prior year obligations		7,866						
Total DIRECT requirements		1,225,580		1,363,652		1,295,319		
Reimbursable FTE:								
Full-time permanent	21		21		23		2	
23.1 GSA rent (Reimbursable)								
25.3 DHS Security (Reimbursable)								

N. Resource Summary

(Dollars in Thousands)

Office of the Federal Detention Trustee, Federal Prisoner Detention Costs, FY 2007-2009							
Cost Category	FY 2007	FY 2008		FY 2009			
	Current Estimate	Enacted	Technical Adjustments	Adjustments To Base	Program Increases	Program Offsets	Pres Bud Request
Detainee Housing and Subsistence	\$1,047,688	\$1,083,756	60,000	22,455	\$36,485	(53,734)	\$1,148,962
Detainee Health Care Services	69,501	77,879	---	3,108	---	---	80,987
Medical Guards	11,798	15,454	---	---	---	---	15,454
Prisoner Transportation	17,851	13,655	---	---	---	---	13,655
JPATS	32,835	31,835	---	---	1,085	---	32,920
Air Operations	29,225	28,225	---	---	1,085	---	29,310
Support	3,610	3,610	---	---	---	---	3,610
Other	1,617	3,341	---	---	---	---	3,341
Total Program Costs	1,181,290	1,225,920	60,000	25,563	37,570	(53,734)	\$1,295,319
Average Daily Population, Total	56,289	59,001	---	---	221	---	59,222
Federal, Non-Paid	11,673	12,035	---	---	---	---	12,035
Non-Federal, Paid	<u>43,813</u>	<u>46,116</u>	---	---	<u>221</u>	---	<u>46,337</u>
State & Local	36,380	38,711	---	---	176	---	38,887
Private	7,433	7,405	---	---	45	---	7,450
Other, Non-Paid	803	850	---	---	---	---	850
Average Per Diem Rate, Overall	\$64.40	\$65.62	---	\$1.78	---	---	\$67.40

Note: Amounts may not add due to rounding.