

**Questions for the Record from Rep. Nadler and Rep. Jackson Lee for Director Ronald
Davis Hearing on Oversight of the United States Marshals Service
February 14, 2024**

1. How many Deputy U.S. Marshals performed protective functions for the judiciary in 2022 and 2023? Please disaggregate this number by federal district.

Deputy United States Marshals (DUSMs) provide security and protection for federal court facilities and the Federal Judiciary in each of the 94 judicial districts and the 12 circuits of the U.S. Court of Appeals on a daily basis. Please see the below charts for a further breakdown. The Judicial Security Division also manages contracts for over 5,600 Court Security Officers and maintains more than 1,600 residential security systems in judges' personal residences. Additionally, as the physical security provider to over 800 federal facilities, the United States Marshals Service (USMS) develops, manages, and implements security systems and screening equipment that protect each courthouse.

In Fiscal Year 2023, a total of 1,369 DUSMs also provided executive protective services for the Federal Judiciary. In Fiscal Year 2022, 726 DUSMs provided executive protective services. The term "executive protective services" means protection services for federal judges and other government officials who require enhanced personal protective services based upon a documented risk assessment that the individual is subject to an unusually high level of threats to personal safety related to their official duties, as determined by the Director of the USMS or their designee. It does not include deputies who are assigned to regular duties maintaining security within federal courthouses. For any USMS-led Protective Service Detail, the number of DUSMs is dependent on several factors, such as: length of detail, rotational hours, specialty positions, and residential security coverage.

On May 6, 2022, at the request of the Marshal of the Supreme Court and at the direction of the Attorney General, the USMS began providing assistance in securing the residences of the Supreme Court Justices around the clock, 24-hours a day, seven days a week. Prior to this request, the USMS had only been responsible for providing protective details for the Justices when they traveled outside of the National Capital Region, and assisted, upon Supreme Court Police request, with protective details, protective services for retired Justices and with protective investigations and threat mitigation for Supreme Court Police protected persons and facilities. From May 2022 to present, over 1,400 DUSMs have had at least one rotation of the Residence Overnight Protection of the Supreme Court Justices' residences, which equates to roughly 38% of the current on-board DUSMs.

FISCAL YEAR 2022

UNITED STATES MARSHALS SERVICE DEPUTY UNITED STATES MARSHALS (DUSMS)

DISTRICT/OFFICE	TOTAL DUSMS	DISTRICT/OFFICE	TOTAL DUSMS	DISTRICT/OFFICE	TOTAL DUSMS
ALABAMA-MIDDLE	1	KENTUCKY-EASTERN	4	OKLAHOMA-NORTHERN	0
ALABAMA-NORTHERN	4	KENTUCKY-WESTERN	2	OKLAHOMA-WESTERN	0
ALABAMA-SOUTHERN	3	LOUISIANA-EASTERN	3	OREGON	0
ALASKA	2	LOUISIANA-MIDDLE	3	PENNSYLVANIA-EASTERN	9
ARIZONA	21	LOUISIANA-WESTERN	2	PENNSYLVANIA-MIDDLE	13
ARKANSAS EASTERN	3	MAINE	2	PENNSYLVANIA-WESTERN	3
ARKANSAS-WESTERN	1	MARYLAND	19	PUERTO RICO	6
CALIFORNIA-CENTRAL	6	MASSACHUSETTS	6	RHODE ISLAND	1
CALIFORNIA-EASTERN	8	MICHIGAN-EASTERN	1	SOUTH CAROLINA	10
CALIFORNIA-NORTHERN	7	MICHIGAN-WESTERN	3	SOUTH DAKOTA	7
CALIFORNIA-SOUTHERN	28	MINNESOTA	2	SUPERIOR COURT	70
COLORADO	1	MISSISSIPPI-NORTHERN	2	TENNESSEE-EASTERN	5
CONNECTICUT	3	MISSISSIPPI-SOUTHERN	3	TENNESSEE-MIDDLE	4
DELAWARE	4	MISSOURI-EASTERN	4	TENNESSEE-WESTERN	1
DISTRICT OF COLUMBIA	12	MISSOURI-WESTERN	6	TEXAS-EASTERN	4
FLORIDA - SOUTHERN	3	MONTANA	2	TEXAS-NORTHERN	5
FLORIDA-MIDDLE	2	NEBRASKA	1	TEXAS-SOUTHERN	26
FLORIDA-NORTHERN	3	NEVADA	5	TEXAS-WESTERN	27
GEORGIA-MIDDLE	2	NEW HAMPSHIRE	2	UTAH	7
GEORGIA-NORTHERN	8	NEW JERSEY	18	VERMONT	0
GEORGIA-SOUTHERN	4	NEW MEXICO	13	VIRGIN ISLANDS	0
GUAM	3	NEW YORK-EASTERN	3	VIRGINIA-EASTERN	6
HAWAII	1	NEW YORK-NORTHERN	10	VIRGINIA-WESTERN	10
IDAHO	1	NEW YORK-SOUTHERN	12	WASHINGTON-EASTERN	1
ILLINOIS-CENTRAL	2	NEW YORK-WESTERN	7	WASHINGTON-WESTERN	3
ILLINOIS-NORTHERN	6	NORTH CAROLINA-EASTERN	7	WEST VIRGINIA-NORTHERN	7
ILLINOIS-SOUTHERN	1	NORTH CAROLINA-MIDDLE	4	WEST VIRGINIA-SOUTHERN	3
INDIANA-NORTHERN	4	NORTH CAROLINA-WESTERN	2	WISCONSIN-EASTERN	0
INDIANA-SOUTHERN	2	NORTH DAKOTA	1	WISCONSIN-WESTERN	2
IOWA-NORTHERN	4	OHIO-NORTHERN	5	WYOMING	0
IOWA-SOUTHERN	3	OHIO-SOUTHERN	5	HEADQUARTERS PERSONNEL	180
KANSAS	2	OKLAHOMA-EASTERN	2	TOTAL DUSMS	726

FISCAL YEAR 2023

UNITED STATES MARSHALS SERVICE DEPUTY UNITED STATES MARSHALS (DUSMS)

PROTECTIVE DETAIL INFORMATION

DISTRICT/OFFICE	TOTAL DUSMS	DISTRICT/OFFICE	TOTAL DUSMS	DISTRICT/OFFICE	TOTAL DUSMS
ALABAMA-MIDDLE	2	KENTUCKY-EASTERN	5	OKLAHOMA-NORTHERN	14
ALABAMA-NORTHERN	6	KENTUCKY-WESTERN	2	OKLAHOMA-WESTERN	8
ALABAMA-SOUTHERN	3	LOUISIANA-EASTERN	9	OREGON	7
ALASKA	8	LOUISIANA-MIDDLE	5	PENNSYLVANIA-EASTERN	12
ARIZONA	45	LOUISIANA-WESTERN	6	PENNSYLVANIA-MIDDLE	12
ARKANSAS EASTERN	3	MAINE	4	PENNSYLVANIA-WESTERN	3
ARKANSAS-WESTERN	4	MARYLAND	10	PUERTO RICO	7
CALIFORNIA-CENTRAL	13	MASSACHUSETTS	11	RHODE ISLAND	2
CALIFORNIA-EASTERN	6	MICHIGAN-EASTERN	7	SOUTH CAROLINA	10
CALIFORNIA-NORTHERN	11	MICHIGAN-WESTERN	8	SOUTH DAKOTA	13
CALIFORNIA-SOUTHERN	55	MINNESOTA	4	SUPERIOR COURT	54
COLORADO	8	MISSISSIPPI-NORTHERN	7	TENNESSEE-EASTERN	8
CONNECTICUT	9	MISSISSIPPI-SOUTHERN	12	TENNESSEE-MIDDLE	9
DELAWARE	1	MISSOURI-EASTERN	13	TENNESSEE-WESTERN	6
DISTRICT OF COLUMBIA	25	MISSOURI-WESTERN	8	TEXAS-EASTERN	7
FLORIDA - SOUTHERN	28	MONTANA	4	TEXAS-NORTHERN	13
FLORIDA-MIDDLE	12	NEBRASKA	8	TEXAS-SOUTHERN	54
FLORIDA-NORTHERN	7	NEVADA	10	TEXAS-WESTERN	59
GEORGIA-MIDDLE	9	NEW HAMPSHIRE	7	UTAH	5
GEORGIA-NORTHERN	15	NEW JERSEY	17	VERMONT	6
GEORGIA-SOUTHERN	7	NEW MEXICO	15	VIRGIN ISLANDS	3
GUAM	2	NEW YORK-EASTERN	10	VIRGINIA-EASTERN	7
HAWAII	3	NEW YORK-NORTHERN	6	VIRGINIA-WESTERN	10
IDAHO	4	NEW YORK-SOUTHERN	23	WASHINGTON-EASTERN	6
ILLINOIS-CENTRAL	2	NEW YORK-WESTERN	9	WASHINGTON-WESTERN	9
ILLINOIS-NORTHERN	8	NORTH CAROLINA-EASTERN	14	WEST VIRGINIA-NORTHERN	8
ILLINOIS-SOUTHERN	2	NORTH CAROLINA-MIDDLE	10	WEST VIRGINIA-SOUTHERN	4
INDIANA-NORTHERN	5	NORTH CAROLINA-WESTERN	4	WISCONSIN-EASTERN	8
INDIANA-SOUTHERN	4	NORTH DAKOTA	5	WISCONSIN-WESTERN	0
IOWA-NORTHERN	5	OHIO-NORTHERN	7	WYOMING	4
IOWA-SOUTHERN	5	OHIO-SOUTHERN	6	HEADQUARTERS PERSONNEL	394
KANSAS	12	OKLAHOMA-EASTERN	12	TOTAL DUSMS	1369

2. Of the Deputies performing protective functions:

- a. How many Deputies and Senior Inspectors reached the annual cap on premium pay under 5 USC section 5547 in 2022 and 2023?

In 2022, 205 DUSMs reached the annual cap and worked additional premium pay hours for protective services that exceeded the pay limit permitted by 5 U.S.C. 5547. In 2023, this number rose to 262 DUSMs.

- b. What was the earliest date in calendar years 2022 and 2023 that a Deputy reached the annual pay cap?

In 2022, the earliest date a DUSM reached the annual pay cap for overtime earnings was pay period 22, which was in early November. In 2023, the earliest date a DUSM reached the annual pay cap for overtime earnings was during pay period 17, which was in mid-August.

3. Can USMS provide data by date on when each Deputy reached the annual pay cap?

- a. What was the total number of overtime hours accrued for each Deputy and Senior Inspector that reached the cap?

The USMS is unable to identify the specific number of premium hours accrued for each DUSM that reached the annual cap from the payroll system data because the cap is based upon a dollar limit not an hour limit.

- b. What was the total amount of overtime pay earned, but never paid, because of the application of the biweekly or annual pay cap for all Deputies and Senior Inspectors that reached the cap?

Due to the General Schedule pay limitations of 5 U.S.C. 5547, in 2022, \$760,837.62 was the amount of premium pay for protective services that exceeded the annual cap and was not paid to DUSMs and Senior Inspectors. In 2023, this amount reached \$760,224.36.

- c. How many Deputies and Senior Inspectors subject to the pay cap departed the USMS during the calendar years 2022 and 2023?

Of the 205 DUSMs identified above for 2022, 23 have retired or separated from the agency. Of the 262 DUSMs identified for 2023, 22 have retired or separated from the agency. Please see the below chart for a further breakdown.

	Retirements	Transfers to Other Agencies	Removal	Total
FY22	21	2	0	23
FY23	19	2	1	22
Total	40	4	1	45

4. On average, how many daily and weekly overtime hours are required of a Deputy assigned to a judicial protective detail?

Typically, a DUSM is required to work a three-week rotation with a daily shift of 12 hours. During these three-week rotations, a DUSM works 2 law enforcement availability pay (LEAP) hours of overtime every weekday on top of their regular business hours totaling 30 hours of overtime over the course of a rotation (15 days x 2 hours = 30 hours). They also are required to work 12 hours of overtime for each Saturday and Sunday during their rotation totaling 72 hours (6 days x 12 hours = 72 hours). Combined this totals to 102 hours of overtime for one protective detail rotation.

5. What is the current number of authorized Deputy and Senior Inspector positions (might also be known as Full-Time Equivalent or FTEs) for USMS?

The Fiscal Year 2023 authorized number of DUSM and Senior Inspector positions was 4,038. The Fiscal year 2024 authorized number of DUSM and Senior Inspector positions is 3,892.

6. What is the current number of Deputies and Senior Inspectors employed by the U.S. Marshals?

As of July 29, 2024, 3,794 DUSMs and Senior Inspectors were employed by the agency.