



STATE OF VERMONT
OFFICE OF LEGISLATIVE COUNSEL

MEMORANDUM

To: Joint Legislative Justice Oversight Committee
From: Ben Novogroski
Date: October 24, 2025
Subject: U.S. Customs and Border Protection contract summary

**Vermont Department of Corrections / U.S. Customs and Border Patrol Contract
Summary**

Parties	U.S. Customs and Border Protection (CBP), Office of Field Operations, Boston Field Office (OFO-BFO), U.S. Border Patrol, Swanton Sector (USBP), and State of Vermont, Department of Corrections (Vermont)
Contract Amount	\$185.00 per night per federal detainee (September 17, 2025 - July 31, 2026), \$190.55 per night per federal detainee (August 1, 2026 - July 31, 2027), \$196.27 per night per federal detainee (August 1, 2027 - July 31, 2028), \$202.16 per night per federal detainee (August 1, 2028 - July 31, 2029), \$208.22 per night per federal detainee (August 1, 2029 - July 31, 2030)

Termination Clause

- The agreement remains in effect unless terminated by the parties.
- Any party may suspend, revoke, or terminate the agreement for safety, security, or other reasons.
- Vermont must provide no less than 120 calendar days' notice of intent to terminate.
- Termination by OFO-BFO or USBP does not affect the agreement between Vermont and the remaining party.

Audit Rights

- The Agency has access to records related to the agreement, including financial records, with 24-hour notice.
- Records must be provided within three weeks of the request.
- Records must be maintained for three years from the date of the request.

Payment Terms

- The Agency agrees to pay Vermont a fee per night per federal detainee.
- Monthly billing invoices will be issued based on the agreed rates.
- A 3% increase will be applied year over year for service periods beyond the specified table.

Indemnification

- Vermont is responsible for reasonable costs related to apprehending escaped federal detainees.
- Vermont must notify the Agency of any activity by a federal detainee likely to result in litigation or alleged criminal activity.

Medical Services

- Vermont provides medical care inside the facility for federal detainees, equivalent to state and local detainees.
- Vermont notifies the Agency of medical issues requiring transportation to a medical facility.
- Vermont provides transportation and escort guard services for outpatient care and stationary guard services for admitted detainees.
- The Agency is liable for medical costs of detainees transported to medical facilities.

Modification

- The agreement may be modified only upon mutual written consent of the parties.

Special Notifications

- Vermont must notify the Agency of any activity by a federal detainee likely to result in litigation or alleged criminal activity.
- Vermont must immediately notify the Agency of an escape of a federal detainee.
- Vermont must use all reasonable means to apprehend escaped detainees and bear reasonable costs in connection.

Suspension and Revocation

- Any party may suspend or revoke the agreement for safety, security, or other reasons.
- Written notice is required for suspension or revocation.

Capacity Refusal

- Vermont retains the ability to reasonably refuse admittance due to capacity at the time of intake at the Superintendents' discretion.