

## FEDERAL PRISON SYSTEM

The Committee recommendation provides a total of \$6,079,831,000 for the Federal Prison System, or Bureau of Prisons [BOP]. The recommendation is \$94,614,000 below the fiscal year 2009 enacted level, not including supplemental funding, and equal to the budget request.

## SALARIES AND EXPENSES

|  |                   |
|--|-------------------|
| Appropriations, 2009   | 1 \$5,600,792,000 |
| Budget estimate, 2010  | 5,979,831,000     |
| House allowance  | 6,077,231,000     |
| Committee recommendation                                       | 5,979,831,000     |
| 1 Including \$5,038,000 in supplemental appropriation funding. |                   |

The Committee's recommendation provides \$5,979,831,000 for BOP salaries and expenses. The recommendation is \$384,077,000 above the fiscal year 2009 enacted level, not including supplemental funding, and equal to the budget request.

The recommendation shall be expended in the following manner:

### SALARIES AND EXPENSES

[In thousands of dollars]

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Committee recommendation

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|   |           |
|---|-----------|
| Inmate Care and Programs                | 2,207,729 |
| Institution Security and Administration | 2,676,264 |
| Contract Confinement                    | 895,353   |
| Management and Administration           | 200,485   |

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*Correctional Officer*

*Staffing* --The Federal prison population has grown explosively over the last 20 years. Rising from roughly 25,000 prisoners in 1980, the population is estimated to grow to more than 210,000 by the end of fiscal year 2010. Correspondingly, the overcrowding rate is projected to rise to 38 percent in 2010, up from 37 percent in 2009. Chronic underfunding based on inadequate budget requests have forced BOP to rely excessively on correctional officer overtime and the diversion of program staff instead of hiring additional correctional officers, leaving the workforce spread dangerously thin and compromising BOP's ability to operate in a safe and efficient manner.

Although Congress provided an additional \$160,000,000 above the request for fiscal year 2009, BOP used those additional funds to meet basic operational needs of its facilities, and plans no net increase in staffing in fiscal year 2009 to begin to address its understaffing problem. The Committee is extremely concerned that the proposed budget for fiscal year 2010 would once again not permit BOP to manage the basic operational needs of its prisons.

*Sexual Misconduct.* --The Committee commends the BOP on its work to address and prevent sexual misconduct. With funds provided in earlier appropriations acts, the National Institute of Corrections has made useful progress in providing training and technical support to correctional systems throughout the country to eliminate staff sexual misconduct with inmates, provide training in investigating cases, and training the 'trainers' in order that employees at every level will be more aware of, and better prepared to deal with, these cases.

*Inmate Care and Programs* - This activity covers the costs of all food, medical supplies, clothing, welfare services, release clothing, transportation, gratuities, staff salaries (including salaries of Health Resources and Services Administration commissioned officers), and operational costs of functions directly related to providing inmate care. This decision unit also finances the costs of education and vocational training, drug treatment, religious programs, psychological services, and other inmate programs such as Life Connections.

*Institution Security and Administration* - This activity covers costs associated with the maintenance of facilities and institution security. This activity finances institution maintenance, motor pool operations, powerhouse operations, institution security and other administrative functions. Finally, this activity covers costs associated with regional and central office executive direction and management support functions such as research and evaluation, systems support, financial management, budget functions, safety, and legal counsel.

### *Contract Confinement*

- This activity

provides for the confinement of sentenced Federal offenders in Government-owned, contractor-operated facilities, contracts with State and local facilities, the care of Federal prisoners in contract community residential centers, and assistance by the National Institute of Corrections to State and local corrections. This activity also covers costs associated with management and oversight of contract confinement functions.

### *Activations and Expansions-*

The Committee expects BOP to adhere to the activation schedule included in BOP's budget submission. BOP shall notify the Senate Committee on Appropriations of any deviations to this schedule.

### *Administrative Maximum*

#### *United States*

#### *Penitentiary*

- The Committee recognizes the importance of ensuring that the Administrative Maximum United States Penitentiary [ADX], also known as 'Supermax,' has adequate funding to retain staff levels necessary to provide strict oversight of prisoner activities and communications; and to ensure the safety of prison staff. Further, the facility has a pressing need to upgrade its security infrastructure. The Committee urges the Federal Bureau of Prisons to allocate funding necessary to address these safety requirements.

### *National Institute of Corrections [NIC].*

--The NIC provides valuable training and services, including research and evaluation, technical assistance, information sharing and planning to State and local adult corrections agencies, the BOP and other Federal agencies. To address deficiencies identified by the U.S. Census Bureau in the reporting of inmate address information, the Committee encourages NIC to work with State corrections agencies to develop better procedures and systems for collecting and maintaining corrections records.

### *Second Chance Act implementation.*

--The Second Chance Act (Public Law 110-199) imposed new requirements on BOP to facilitate the successful reentry of offenders back into their communities and reduce the rate of recidivism. Among those requirements are the establishment of recidivism reduction goals and increased collaboration with State, tribal, local, community, and faith-based organizations to improve the reentry of prisoners. The Committee is aware that BOP is currently developing an Inmate Skills Development [ISD] strategy, as required by Second Chance Act, to assess prisoner's skills upon incarceration and provide programming based on that assessment to fill skill deficits and address other reentry needs. The Committee recommendation includes \$13,778,000 and 61 FTE for ISD and other Second Chance Act activities as proposed by the Department. The Committee notes, however, BOP has indicated that approximately \$80,000,000 is required to fully implement its Second Chance Act responsibilities. The Committee expects the Department to propose significant

additional funding for this purpose in the fiscal year 2011 budget request.

## **BUILDINGS AND FACILITIES**

|                          |               |
|--------------------------|---------------|
| Appropriations, 2009     | \$575,807,000 |
| Budget estimate, 2010    | 96,744,000    |
| House allowance          | 96,744,000    |
| Committee recommendation | 99,155,000    |

The Committee's recommendation provides \$99,155,000 for the construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners. The recommendation is \$476,652,000 below the fiscal year 2009 enacted level, excluding emergency supplemental appropriations, and \$2,411,000 above the budget request.

The Committee recommendation provides for \$73,769,000 for modernization and repairs.

The Committee's recommendation includes \$25,386,000 for new construction to enable the Bureau of Prisons to reduce the backlog of new construction projects. Although BOP plans to activate four new prisons in 2014 (FCI Midwestern/Leavenworth, Kansas; USP South Central/Forrest City, Arkansas; USP El Reno (Western); USP Bennettsville, South Carolina), it will be unable to maintain that schedule without a significant new construction appropriation by fiscal year 2011. The Committee notes, however, that even if BOP stays on track in activating planned new prisons, it will add approximately 13,000 new beds between 2010 and 2014 at the same time the BOP population is expected to grow by 22,500. The Committee expects the Department to ensure that the fiscal year 2011 budget proposal for BOP contains sufficient resources to at least stay on track with its current plan to activate new prisons, and for BOP to address its M&R backlog.

## **FEDERAL PRISON INDUSTRIES, INCORPORATED**

### **(LIMITATION ON ADMINISTRATIVE EXPENSES)**

|                          |             |
|--------------------------|-------------|
| Appropriations, 2009     | \$2,328,000 |
| Budget estimate, 2010    | 2,700,000   |
| House allowance          | 2,700,000   |
| Committee recommendation | 2,700,000   |

The Committee recommendation provides a limitation on the administrative expenses of \$2,700,000 for the Federal Prison Industries, Inc. The recommendation is \$372,000 above the fiscal year 2009 enacted level and equal to the budget request.

Senate Report 111-034 - DEPARTMENTS OF COMMERCE AND JUSTICE, AND SCIENCE,  
AND RELATED AGENCIES APPROPRIATIONS BILL, 2010

Full Text of Report: <http://thomas.loc.gov/cgi-bin/cpquery/T?&report=sr034&dbname=111&>

Compliments of: [www.FedCURE.org](http://www.FedCURE.org)