



The Honorable Kay Granger
Chairwoman
Appropriations Committee
U.S. House of Representatives
Longworth House Office Building, 1026
Washington, DC 20515

The Honorable Rosa DeLauro
Ranking Member
Appropriations Committee
U.S. House of Representatives
Longworth House Office Building, 1036
Washington, DC 20515

March 7, 2023

Re: Rescind Funds for Unnecessary Proposed Federal Prison In Rural Eastern Kentucky

Dear Chairwoman Granger and Ranking Member DeLauro:

We, the undersigned organizations, write to urge you to follow the consistent requests of the Trump and Biden Administrations in every annual budget submission since 2018,¹ calling on Congress to cancel the unobligated funding for a proposed federal prison in rural eastern Kentucky, located in Letcher County.

The construction of this new federal prison is a costly and unnecessary proposal, motivated by a desire to create a federal jobs program in eastern Kentucky, not to accommodate the actual needs of the Bureau of Prisons or public safety.

The initial appropriation of \$5 million to study the proposition was secured by Representative Hal Rogers in FY 2006. Ten years later he secured \$444 million in the FY16 appropriations bill to build it, and then an additional \$50 million in FY17. Meanwhile, the federal prison population has been dropping – from a high in 2013 of approximately 219,000 to a current overall population of approximately 159,000 today; a 60,000 person reduction (27 percent) in population. As such, while the Bureau of Prisons (BOP) initially approved the construction of the then-proposed high-security federal prison in a Record of Decision (ROD) in May 2018, the agency withdrew its approval the very next year in response to strong opposition.²

Yet despite the consistent urging of both the Trump and Biden Administrations to cancel funding for the construction of this unnecessary federal prison, and the BOP withdrawal of its ROD to

¹ FY18 Trump budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Buildings & Facilities, page 28, available [here](#); FY19 Trump budget, DOJ, Congressional Budget Submission, BOP Buildings & Facilities, Exhibits, page 11, available [here](#); FY20 Trump budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Buildings & Facilities, pages 14 & 25, available [here](#); FY21 Trump budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Buildings & Facilities, page 11, available [here](#); FY22 Biden Budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Building & Facilities, pages 12 & 30, available [here](#); FY23 Biden Budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Building & Facilities, pages 13 & 20, available [here](#).

² [Withdrawal of Record of Decision Proposed U.S. Penitentiary and Federal Prison Camp, Letcher County, Kentucky](#) (2019), Bureau of Prisons.

build it, Congress has still failed to rescind the funds appropriated for the project. The unobligated funds amount to half a billion dollars in potential taxpayer savings if rescinded.

Faced with Congress's continued failure to cancel these unwanted unobligated funds, on September 28, 2022, the BOP issued a new notice in the Federal Register articulating its plan to now construct and operate a new medium-security Federal Correctional Institution (FCI) and an adjoining minimum-security Federal Prison Camp (FPC), rather than the high-security facility originally proposed, in Letcher County, Kentucky.³

Accordingly, we urge you to swiftly rescind the funds appropriated for the construction of FCI Letcher.

The construction of FCI Letcher will harm public safety. In-person family visitation significantly reduces recidivism and connections to the community help individuals desist from crime.⁴ Building yet another federal prison in remote eastern Kentucky – far from the families of incarcerated individuals, and far from the communities to which they will return – will hinder rehabilitation, as well as impose an unfair financial burden on families forced to travel long distances.

The construction of FCI Letcher will also worsen the crisis of conditions already occurring in federal prisons. As a recent Government Accountability Office study⁵ has highlighted, the federal prison system has faced “difficulty attracting candidates to remote locations.” Operating another federal prison in remote eastern Kentucky poses additional staffing challenges at a time when the BOP already is facing a nationwide staffing crisis. Such staffing shortages endanger the welfare of both incarcerated individuals and correctional officers, as well as hinder compliance with federal law such as the First Step Act.⁶

FCI Letcher is also a costly and unnecessary burden to inflict on taxpayers. The construction of FCI Letcher alone will cost taxpayers half a billion dollars. Furthermore, the Alternatives Analysis for the proposed federal prison was conducted in 2005, which means that the costs and benefits of the proposed prison are significantly out of date.⁷ There are better ways to bring jobs to eastern Kentucky and other rural areas than using prison construction – with its routine cost overruns and long-term operational expenditures – as an economic development strategy.

For the reasons outlined above, we urge you to recognize the consistent determination by the Trump and Biden Administrations that this proposed new federal prison is not needed,

³ [Federal Register](#), Vol. 87, No. 187, Wednesday, September 28, 2022, Notices.

⁴ Wang, L. (2021), [Research roundup: The positive impacts of family contact for incarcerated people and their families](#), Prison Policy Initiative; [The Effects of Prison Visitation on Offender Recidivism](#) (2012), National Institute of Corrections; Bushway, S. & Uggen, C. (2021), [A Better Path Forward for Criminal Justice: Fostering Desistance](#).

⁵ [Opportunities Exist to Better Analyze Staffing Data and Improve Employee Wellness Programs](#) (2021), Bureau of Prisons. *See also* DOJ Office of the Inspector General (2016), [Review of the Federal Bureau of Prisons' Medical Staffing Challenges](#).

⁶ Trautman, L. (2022), [Addressing Staffing Challenges in Federal Prisons](#), Right on Crime.

⁷ U.S. Department of Justice (2018). [Capital Asset Plan and Business Summary](#).

and to follow their call for a rescission of the unobligated funding for its construction.
Please contact Annelise Hafer with CURE (Citizens United for Rehabilitation of Errants) at annelise@curenational.org, or Liz Komar with The Sentencing Project at lkomar@sentencingproject.org for further information or with any questions.

Sincerely,

CURE (Citizens United for Rehabilitation of Errants)
The Sentencing Project
Abolitionist Law Center
American Civil Liberties Union
ACLU of Kentucky
CAN-DO Foundation
Center for Biological Diversity
Center for Disability Rights
Church of Scientology National Affairs Office
Dream.org
The Festival Center
Fight Toxic Prisons
Florida Prisoner Solidarity
Heal Da Homies
Justice Strategies
Kentucky Center for Economic Policy
Legal Action Center
More Than Our Crimes
The National Council For Incarcerated and Formerly Incarcerated Women and Girls
Natural Resources Defense Council
NETWORK Lobby for Catholic Social Justice
Prison Policy Initiative
R Street Institute
Southern West Virginia Harm Reduction
The Vera Institute of Justice
Voice of the Experienced

cc: Members of the House Appropriations Committee