



The Honorable Jerry Moran
Chair
Subcommittee on Commerce, Justice,
Science, and Related Agencies
Committee on Appropriations
U.S. Senate
Room S-128, The Capitol, Washington,
D.C. 20510

The Honorable Chris Van Hollen
Ranking Member
Subcommittee on Commerce, Justice,
Science, and Related Agencies
Committee on Appropriations
U.S. Senate
Room S-128, The Capitol, Washington,
D.C. 20510

June 12, 2025

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

Dear Chair Moran and Ranking Member Van Hollen:

The Sentencing Project writes to urge you to follow the consistent requests of the Trump and Biden Administrations in every annual budget submission since 2018¹ 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 156,000 today; a 63,000 person reduction (27 percent decline) in population. As such, while the Bureau of Prisons (BOP) initially approved the construction of the

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](#); FY24 Biden Budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Building & Facilities, page 2, available [here](#); FY25 Biden Budget, DOJ, Performance Budget, Congressional Submission, Federal Prison System, Building & Facilities, page 3, available [here](#); FY26 Trump Budget, Technical Supplement to the 2026 Budget, Appendix, page 622, available [here](#).

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 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 On October 28, 2024, the BOP issued a new ROD articulating its plans to spend more than half a billion dollars to build FCI Letcher.⁴ Given the growing cost of construction materials, the challenges of building on top of a former strip mine, the logistical difficulties of construction in such a remote location, the actual cost is likely to exceed the unobligated appropriated funds.

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.⁵ Building a fourth 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 study⁶ 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 – worsened by recent salary cuts.⁷

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

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

⁴ [Federal Register](#), Vol. 89, No. 208, Monday, October 28, 2024, Notices.

⁵ 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](#).

⁶ [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](#).

⁷ Friedman, D. (2025), [Days ahead of coming BOP pay cuts, some employees already resigning](#), Federal News Network.

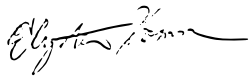
Such staffing shortages endanger the welfare of both incarcerated individuals and correctional officers, as well as hinder compliance with federal law such as the First Step Act.⁸

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.⁹ 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.

We urge you to reject any riders which would fast track the construction of FCI Letcher. Prior appropriations cycles have included efforts to expedite the construction of FCI Letcher through proposed riders which would have shielded the prison from environmental oversight, as well as barred lawsuits related to the construction and operation of the prison.¹⁰ Prison construction and operation should never be exempted from judicial oversight – surrounding communities, workers, and incarcerated people deserve due process to ensure the prison is safe for them and the environment. We strongly urge you to reject any measures designed to hasten FCI Letcher’s construction or subject it to special treatment in federal courts.

The Trump and Biden Administrations have consistently determined that this proposed federal prison is not needed and we urge you to follow their call for a rescission of the unobligated funding for its construction. Please contact Liz Komar with The Sentencing Project at likomar@sentencingproject.org for further information or with any questions.

Sincerely,



Liz Komar
Sentencing Reform Counsel
The Sentencing Project

cc: Members of the Senate Committee on Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies

⁸ Trautman, L. (2022), [Addressing Staffing Challenges in Federal Prisons](#), Right on Crime.

⁹ U.S. Department of Justice (2018). [Capital Asset Plan and Business Summary](#).

¹⁰ See, e.g., [July 7, 2023 FY24 CJS Subcommittee Mark](#) (2023), House Committee on Appropriations, Subcommittee on Commerce, Justice, and Science.