

**U.S. Department of Justice  
Federal Prison System  
FY 2014 CONGRESSIONAL BUDGET  
Buildings and Facilities  
Table of Contents**

|   | Page No. |
|---|----------|
| <b>I. Overview</b>  | 1        |
| <b>II. Summary of Program Changes</b>                                       | 15       |
| <b>III. Appropriations Language and Analysis of Appropriations Language</b> | 16       |
| <b>IV. Decision Unit Justification</b>                                      |          |
| A. New Construction   |          |
| 1. Program Description  | 17       |
| 2. Performance Tables   | 20       |
| 3. Performance, Resources, and Strategies                                   | 23       |
| B. Modernization and Repair   |          |
| 1. Program Description  | 24       |
| 2. Performance Tables   | 29       |
| 3. Performance, Resources, and Strategies                                   | 32       |
| <b>V. Program Increases by Item</b>   |          |
| A. Renovate Administrative USP Thomson                                      | 33       |
| <b>VI. Program Offsets by Item</b>  |          |
| A. Rescission of Prior Years' Unobligated Balances                          | 36       |
| <b>VII. Exhibits</b>  |          |
| A. Organizational Chart   |          |
| B. Summary of Requirements  |          |
| C. FY 2014 Program Increases/Offsets by Decision Unit                       |          |
| D. Resources by DOJ Strategic Goal/Objective                                |          |
| E. Justification for Base Adjustments                                       |          |
| F. Crosswalk of 2012 Availability   |          |
| G. Crosswalk of 2013 Availability   |          |
| H. Summary of Reimbursable Resources (Not Applicable)                       |          |
| I. Detail of Permanent Positions by Category                                |          |
| J. Financial Analysis of Program Changes                                    |          |
| K. Summary of Requirements by Grade   |          |
| L. Summary of Requirements by Object Class                                  |          |
| M. Summary of Change  |          |
| N. Status of Construction   |          |
| O. Waterfall  |          |

# **I. Overview for the Bureau of Prisons, Buildings and Facilities (B&F) Appropriation**

## **1. Introduction and Background**

The Bureau of Prisons (BOP) was established in 1930 to provide more progressive and humane care for Federal inmates, to professionalize the prison service, and to ensure consistent and centralized administration of the 11 Federal prisons in operation at that time (now 119). The mission of the BOP, an agency of the Department of Justice (DOJ), is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

For FY 2014, a total of \$105,244,000, with 239 positions and 126 FTEs is requested for the Buildings and Facilities (B&F) appropriation. The FY 2014 request supports DOJ Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal State, Local, Tribal and International Levels. Funding is requested to renovate a recently acquired facility which will provide additional capacity and reduce existing, as well as, projected high levels of overcrowding in federal prisons. Further, without legislative and administrative changes, the inmate population will continue to grow for the foreseeable future. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case Exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

## **2. Challenges**

The BOP faces unprecedented challenges in managing the already large and increasing federal inmate population, and providing for inmates' care and safety in crowded conditions, as well as the safety of BOP staff and surrounding communities, within budgeted levels. Current crowding situations and future projected population growth requires additional capacity to effectively manage inmate overcrowding in federal prisons.

Inmate overcrowding continues to be a major concern and challenge for the BOP. Thus far in FY 2013, the federal inmate population totals 217,929, and system-wide crowding is at 37 percent over rated capacity, with 54 percent and 44 percent at high and medium security institutions respectively (data as of March 21, 2013).

Even with changes to the U.S. Sentencing Guidelines, which were retroactively applied, providing some crack cocaine offenders sentence reductions and/or release, the BOP still expects an additional net increase of 5,400 inmates in FY 2013 through FY 2014. BOP strives to accommodate inmate population growth with a combined use of state, local and private sector contract beds, facility expansion, acquisition of existing structures, and construction of new prisons, as funding permits.

The size of the BOP inmate population exceeds the rated capacity of its prisons by 37-54 percent on average, depending on the security level (as of March 21, 2013). Rated capacity is the baseline used to calculate prison crowding, and assists in managing the BOP's inmate population to distribute the population throughout the system efficiently and equitably. The calculation for determining rated capacity involves stratified double bunking across all security levels and includes the following formulas: minimum and low security institutions at 100 percent double bunking; medium security institutions at 50 percent double bunking and; high security institutions at 25 percent double bunking.

Prison Crowding has been identified as a Federal Managers Financial Integrity Act (FMFIA) material weakness, and has been reported as such each year since FY 2006 in the DOJ's Performance and Accountability Report (PAR). In describing the issue, the Corrective Action Plan states: "Remediation of the weakness through increasing prison capacity is primarily dependent on funding. Other correctional reforms and alternatives will require policy and/or statutory changes."

In light of overcrowding and stresses on prison staffing, BOP's ability to safely manage the increasing federal inmate population is one of the Department's top ten management and performance challenges identified by the Office of the Inspector General (OIG) in the DOJ PAR, stating in part "The Department has been aware for years of the problems that it is facing due to the rapidly expanding prison population. The Department first identified prison overcrowding as a programmatic material weakness in its FY 2006 Performance and Accountability Report, and it has been similarly identified in every such report since. In fact, prison overcrowding was the Department's only identified material weakness in this last year." The OIG report also says "Since FY 2000, the BOP's inmate-to-staff ratio has increased from about four-to-one to a projected five-to-one in FY 2013. Since FY 2006, federal prisons have moved from 36 percent over rated capacity to 39 percent over rated capacity in FY 2011, with medium security facilities currently operating at 47 percent over rated capacity and high security facilities operating at 52 percent over rated capacity."

The following charts show representations of inmate cells at normal rated capacity versus overcrowded conditions at low, medium and high security levels.



= inmates housed at zero crowding

### Low Security



= inmates housed in overcrowding situation

|                            |  |  |  |  |  |  |  |  |  |  |
|----------------------------|--|--|--|--|--|--|--|--|--|--|
| N<br>O<br>R<br>M<br>A<br>L |  |  |  |  |  |  |  |  |  |  |
|                            |  |  |  |  |  |  |  |  |  |  |

#### zero crowding

example at a low security prison

Rated Capacity: 2 inmates per cell, 20 cells, 100% double bunked.

|   |  |  |  |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|--|--|--|
| O<br>V<br>E<br>R<br>C<br>R<br>O<br>W<br>D<br>E<br>D |  |  |  |  |  |  |  |  |  |  |
|   |  |  |  |  |  |  |  |  |  |  |

#### 40% crowding

(56 inmates and 40 beds rated capacity) -86% of the inmates are triple bunked.

-14% of the inmates are double bunked.

### Medium Security

|                            |  |  |  |  |  |  |  |  |  |  |
|----------------------------|--|--|--|--|--|--|--|--|--|--|
| N<br>O<br>R<br>M<br>A<br>L |  |  |  |  |  |  |  |  |  |  |
|                            |  |  |  |  |  |  |  |  |  |  |

#### zero crowding

example at a medium security prison

Rated Capacity: 2 inmates per cell in 50% of cells. 20 cells, 10 double bunked.

|   |  |  |  |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|--|--|--|
| O<br>V<br>E<br>R<br>C<br>R<br>O<br>W<br>D<br>E<br>D |  |  |  |  |  |  |  |  |  |  |
|   |  |  |  |  |  |  |  |  |  |  |

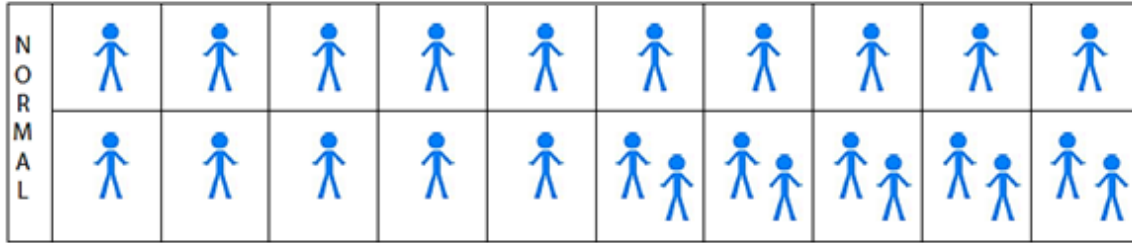
#### 50% crowding

(45 inmates and 30 beds rated capacity)

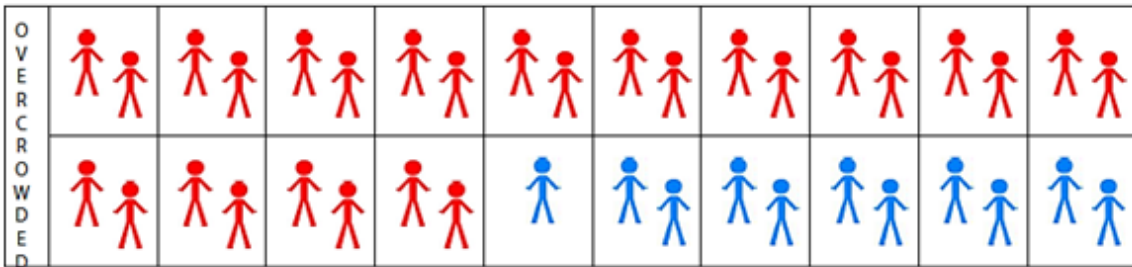
-33% of the inmates are triple bunked -67% of the inmates are double bunked.

- 0% of the inmates are single bunked.

### High Security



zero crowding  
 example at a high security prison  
 Rated Capacity: 2 inmates per cell in 25% of cells. 20 cells, 5 double bunked.



56% crowding  
 (39 inmates and 25 beds rated capacity)  
 -97% of the inmates are double bunked.  
 - 3% of the inmates are single bunked.

With the continued and projected inmate growth and age of existing prisons, the BOP continues to allocate M&R funds primarily for emergency, life safety, and some of the highest priority major projects, annually. The BOP tries to follow the Federal Facilities Council Standing Committee on Operations and Maintenance Report Number 131 for maintaining existing prisons.

As noted in report (GAO-10-94) released in November 2009, GAO concluded that BOP’s methods for projecting inmate population changes have been accurate. GAO found projections were accurate, on average, to within 1 percent of the actual inmate population growth from fiscal year 1999 to August 2009. The full GAO report is available at: <http://www.gao.gov/new.items/d1094.pdf>.

Also, in the recent GAO report *Growing Inmate Crowding Negatively Affects Inmates, Staff, and Infrastructure* (GAO-12-743) released in September 2012, “The increased population taxes the infrastructure that was designed for a smaller inmate population, affecting use of toilets, showers, water, and electricity, and wear and tear on food service equipment (e.g., freezer units).” GAO goes on to state that “BOP has also experienced increased maintenance and repair costs, with 51 facilities over 30 years old and newer facilities also in need of maintenance and repair.” The full GAO report is available at: <http://www.gao.gov/products/GAO-12-743>

At the end of FY 2012, 20,526 (94 percent) high security inmates were double bunked, and 17,049 (29 percent) of medium security inmates and 38,421 (85 percent) of low security inmates were triple bunked or housed in space not originally designed for inmate housing, such as television rooms, open bays, program space, etc., with the remainder double bunked. As of March 21, 2013, BOP facilities were operating at 37 percent above rated capacity system-wide; and most critically, with 44 percent overcrowding at the

medium security level and 54 percent overcrowding at high security. Overcrowding rates will increase given incarceration trends. Over 176,000 of the current federal inmate population are in facilities operated by the BOP. The remainder, over 41,900 inmates or 19.2 percent, are in contract care including privately operated secure facilities, facilities managed by state and local governments, residential reentry centers, or home confinement. The percentage of inmates in contract care has steadily increased from 2 percent in 1980, 11 percent in 1990, and 14 percent in 2000, to approximately 19 percent currently.

The following table shows the impact on future population, capacity and crowding projections:

### Projected Population, Capacity, and Crowding

|  | 2011<br>(Actual) | 2012<br>(Actual) | 2013           | 2014           | 2015           | 2016           | 2017           | 2018           |
|--|------------------|------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| BOP Facilities                             |                  |                  |                |                |                |                |                |                |
| Starting Capacity                          | 126,713          | 127,795          | 128,359        | 129,723        | 132,107        | 135,407        | 136,707        | 136,707        |
| Additional<br>Approved/Planned             | 1,082            | 564              | 1,364          | 2,384          | 3,300          | 1,300          | 0              | 0              |
| Subtotal<br>Capacity                       | 127,795          | 128,359          | 129,723        | 132,107        | 135,407        | 136,707        | 136,707        | 136,707        |
| Pop. Projection                            | 177,934          | 177,556          | 179,178        | 182,124        | 184,092        | 187,110        | 189,966        | 192,903        |
| Percent<br>Overcrowded                     | 39%              | 38%              | 38%            | 38%            | 36%            | 37%            | 39%            | 41%            |
| Contract                                   | 39,834           | 41,131           | 41,709         | 41,963         | 43,195         | 43,296         | 43,559         | 43,741         |
| Percent Contract                           | 18.3%            | 18.8%            | 18.9%          | 18.7%          | 19.0%          | 18.8%          | 18.7%          | 18.5%          |
| <b>Total Federal<br/>Prison Population</b> | <b>217,768</b>   | <b>218,687</b>   | <b>220,887</b> | <b>224,087</b> | <b>227,287</b> | <b>230,406</b> | <b>233,525</b> | <b>236,644</b> |

Note: The population projections are based on data and information from a variety of sources including the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, other DOJ components, and the BOP's own information system (SENTRY). The additional capacity projections shown above rely on enactment of funding for contract beds, prison renovation and prison activations.

The B&F appropriation is comprised of two decision units: 1) the New Construction decision unit would include funding to expand existing facilities and acquire or construct new prison facilities; and 2) the Modernization and Repair (M&R) decision unit is intended to include funding to maintain existing facilities in an adequate state of repair to provide a safe and secure environment to continue prison operations, thereby protecting taxpayer capital investments.

For FY 2014, a total of \$105,244,000 with 239 positions and 126 FTEs are requested for the B&F appropriation to support DOJ Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice. This request funds the base program for New Construction, but does not add new prison beds. This request also includes M&R resources to renovate the recently acquired Thomson facility.

## M&R

### Program Increase

|  | Dollars<br><u>(\$000)</u> | <u>Pos.</u> | <u>FTE</u> |
|--|---------------------------|-------------|------------|
| Renovate Administrative<br>U.S. Penitentiary Thomson, IL | <u>\$15,000</u>           | <u>0</u>    | <u>2</u>   |
| Total Program Increase                                   | 15,000                    | 0           | 2          |

As a strategy to try to keep pace with inmate population growth, the BOP continues to rely on a combination of contracts with private, state, and local vendors; increasing use of residential reentry centers and home confinement; expansions of existing facilities where infrastructure permits; acquisition and renovation of existing structures; and new prison construction, as funding permits.

Beyond 2014, there is no new capacity planned to come on line. The request to renovate and convert Administrative U.S. Penitentiary (Administrative USP) Thomson to federal prison use will add 2,100 beds to BOP's capacity. The BOP is in need of new beds and believes that this request is the best method of quickly adding bed space for the growing inmate population.

The combined inmate population confined in medium and high security facilities represents over 47 percent of the BOP institution inmate population. One out of every six inmates at high security institutions are gang affiliated. There are much higher incidences of serious assaults by inmates on staff at medium and high security institutions than at the lower security level facilities. The additional higher security bed space from USP Thomson will provide relief for current and projected overcrowding.

The number of Administrative Maximum Custody (ADX) beds available in BOP has not increased since ADX Florence, CO was activated in 1994, when the total inmate population was approximately 95,000. Since then, the total inmate population has increased by over 122,000. Thus, in addition to housing general population high security inmates, USP Thomson will also be used by the BOP to house a number of inmates with ADX custody, other inmates who have proven to be difficult to manage, and inmates who are designated for Special Management Units (SMUs). Conditions of confinement for SMU inmates are more restrictive than for general population inmates. The Thomson facility will provide the physical structure and security to appropriately house inmates who are designated for SMU placement.

The SMU program is for inmates who have participated in or had a leadership role in geographical group/gang-related activity or those who otherwise present unique security and management concerns. The BOP designates inmates to SMUs where greater management of their interaction is necessary to ensure the safety, security, or orderly operation of Bureau facilities. SMU designation is non-punitive, and may be appropriate for any inmate meeting the referral criteria. Conditions of confinement for SMU inmates are more restrictive than for general population inmates. Inmates are expected to complete the four-level SMU program in 18 to 24 months, at which time they may be re-designated to an appropriate facility. Successful completion requires strict adherence to the rules and regulations of the unit. In addition, completion of the program requires

active participation in self-study, individual, and group activities geared toward the development of behavior and values that will allow for the successful reintegration into general population. Thus, this request for renovation of the Thomson facility has been determined to be the most cost efficient and suitable method of adding much needed ADX type and high security capacity.

The purpose of the M&R program is to provide the necessary resources to undertake essential rehabilitation, modernization and renovation of buildings, other structures, and associated systems. This program provides the necessary modifications to meet legal requirements and accommodate correctional programs. Further, the M&R base program is also responsible for repair or replacement of utilities systems and other critical infrastructure and repair projects at existing institutions in order to keep all systems and structures in an adequate state of repair. The proper maintenance, modernization, and repair of BOP institutions is essential. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required repairs. Most importantly, failure to maintain structures can cause direct and indirect security problems.

As stated in the Inspector General's memo dated November 13, 2009, regarding Top Management and Performance Challenges in the Department of Justice, "With approximately one-third of BOP's 116 institutions 50 years or older, the increasing prison population also exacerbates a challenge for the BOP in repairing failing infrastructure at these institutions". In addition, the FY 2011 OIG Top Management and Performance Challenges report, dated November 8, 2011, states "Further, the BOP must constantly work to maintain the infrastructure of its aging facilities."

The BOP's goal is to maintain a safe and productive environment for staff and inmates. The level of annual resources being provided for the M&R program is enough for the BOP to be reactive to emergencies as major infrastructure and life safety systems begin to fail and to address a limited amount of high priority major projects, annually. Currently, there are 119 institutions. By the end of FY 2014, the BOP anticipates completing activation of two of these prisons (FCI Berlin, NH and Secure Female FCI Aliceville, AL), and the final funded and acquired prisons (USP Yazoo City, MS; FCI Hazelton, WV and Administrative USP Thomson, IL) will have begun the activation process. The projected timeframes are dependent on funding. As these facilities become fully operational, any repairs or maintenance above the \$10,000 threshold will be funded from the M&R program. Within the resources dedicated to the M&R program in FY 2013, the BOP proposes to address 33 major repair/replacement projects (26 have been awarded as of February 2013) and there are currently 150 on the waiting list (e.g., fence, roofs, HVAC, fire alarms). Proper maintenance, repair and replacement is necessary to address failing systems to avoid significant deterioration and larger future replacement costs.

Several years ago, DOJ completed implementation of the Asset Management Plan (AMP) system achieving compliance with the Real Property Management initiative from OMB. The AMP inventories all real property and related information and tracks repair needs. This is a significant DOJ and BOP accomplishment as the Federal Prison System accounts for over 90 percent of all of DOJ's capital assets.



In accordance with the Administration's direction to focus on place-based policies and initiatives [M-09-28], the BOP has a long standing practice of locating many of its new federal prisons in rural areas. As stated in the White House memo "The prosperity, equity, sustainability, and livability of neighborhoods, cities and towns, and larger regions depend on the ability of the Federal government to enable locally-driven, integrated, and place-conscious solutions guided by meaningful measures, not disparate or redundant programs which neglect their impact on regional development." The BOP's positive impact on rural communities is significant. By bringing in new federal jobs, stimulation of local businesses and housing, contracting with hospitals and other local vendors, and coordinating with local law enforcement, the BOP improves the economy of the town and the entire region where these rural facilities are located.

### Environmental Accountability

The BOP continues its progress of improving environmental and energy performance. The BOP is aggressively pursuing the Energy Saving Performance Contract (ESPC) finance mechanism permitted by Executive Order 13423 and Energy Policy Act. Thirty one ESPCs have been initiated over the last six years, and the BOP has moved forward with ESPCs at twenty-four institutions. As part of these projects, the BOP is implementing green initiatives such as solar power, wind turbines, biomass boilers, geothermal systems, lighting upgrades, water conservation retrofits, heating and cooling equipment replacement, and many other energy saving measures.

The BOP's ESPC Program has won the following national awards:

- 2006 DOE Small Team Award for the FCC Victorville Project
- 2007 Presidential Award for Leadership in Federal Energy Management
- 2007 GSA Award for the "Greening of Prisons"
- 2009 DOJ Energy and Environmental Awards to USP Hazelton and FCC Victorville

For example, between 2008 and 2010 four institutions had completed ESPCs and Energy Conservation Measures (ECMs) are having a significant impact on the facilities consumption of water and energy. The four institutions are the Federal Correctional Institution (FCI) Englewood, CO; FCI Big Spring, TX; Federal Correctional Complex (FCC) Victorville, CA; and FCC Petersburg. The combined acreage for the four institutions is 2,518 and the total building space is 3,580,000 square feet. The four institutions have a total of 28 ECMs. The ECMs included water management, sub-metering, control upgrades, wind energy, solar PV (photovoltaic), solar thermal, biomass, geothermal, lighting, HVAC and plumbing upgrades, and electric vehicles. The combined impact of the energy savings and emissions reductions generated by these ECMs is allowing the BOP to make a significant contribution to the reduction of federal greenhouse gas emissions. The consolidated projected savings for the four sites are electrical 12,036,552 KWh/yr, natural gas 118,286 MBtu/yr, water 126,302 KGal/yr, sewage 70,9000 KGal/yr annually, and a significant saving in operation and maintenance costs. Total emissions reductions for the four sites include CO<sub>2</sub> 24,705,781 lbs/yr, NO<sub>x</sub> (nitrogen oxide) 19,693 lbs/yr, and SO<sub>x</sub> (sulfur oxide) 25,348 lbs/yr.

The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is the nationally accepted benchmark for design, construction and operation of high performance sustainable buildings. As part of this certification, these assets received points for a sustainable site, water efficiency, energy/atmosphere, materials/resources, indoor air quality and innovative designs. The FCC in Butner, NC is one of the first prisons in the country to be LEED “Certified.” The recently completed Aliceville, AL FCI for women achieved a Silver Rating under the LEED program, which is the first LEED Silver Rating earned for one of the BOP’s new institutions. Currently, new prisons are built or being built in Yazoo City, MS; Aliceville, AL; and Hazelton, WV; all three of these prisons is or will be at a minimum LEED “Certified.”

In addition to ESPCs, the BOP is also pursuing energy conservation and greening projects via non-traditional methods. As an example, the BOP is researching waste to power purchasing from a company that burns waste stream materials. After years of work at FCC Allenwood, the BOP has signed a contract with Lycoming County to purchase electricity produced from landfill methane gas. The project is expected to increase county revenue, reduce greenhouse gas emissions and provide affordable electricity to the federal prisons.

In an effort to conserve energy system-wide, the BOP implemented an Energy Conservation Initiative in 2006. This initiative employs integrated design principles, optimization of energy performance and operational changes. As part of this initiative, the BOP reduced the consumption of electricity, natural gas, fuel oil, gasoline and water. This resulted in a 2 percent reduction in energy consumption over the fiscal year. Also, the BOP implemented additional water conservation initiatives in 2009 and 2012 to reduce water consumption throughout the system.

The BOP has a very ambitious recycling program. As an example, the Safety Department at the FCC in Lompoc, CA, operates a multi-faceted recycling and environmental awareness operation. The institution employs several inmate workers to sort recyclable materials throughout the complex. In FY 2007, FCC Lompoc’s recycling efforts kept 320,000 tons of recyclables, such as wood, cardboard, ferrous metals, non-ferrous metals, tires, batteries, anti-freeze, engine oil, cooking oil, wood pallets, plastics, light bulbs, computers and paper from entering the Nation’s waste stream. The recycling program generated \$28,885 in FY 2007 and avoided more than \$24,000 in landfill disposal fees.

The BOP has six institutions that have various size bio-diesel operations. At these facilities, waste kitchen grease is converted into bio-diesel, and is used in vehicles and lawn equipment. USP Big Sandy, KY produces over 500 gallons of bio-diesel per month. The BOP anticipates this program will be expanded to most institutions over the next few years.

Water reduction challenges for the BOP continue to be a high priority. The current method of measuring for water reduction is gallons per square feet. It is difficult to achieve reductions in water usage due to the increasing crowding in BOP facilities. The BOP continues the use of ESPCs and incorporates water conservation in every project.

### 3. Full Program Costs

#### **FY 2014 Total Bureau of Prisons Request by DOJ Strategic Goal**

The BOP's mission plays a direct role in supporting DOJ, Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. In FY 2014, a total of \$105,244,000 with 239 positions and 126 FTEs is being requested for the B&F appropriation to support the DOJ goal to:

- Provide for the safe, secure, humane, and cost-effective confinement of detainees awaiting trial and/or sentencing, and those in the custody of the Federal Prison System (Strategic Goal 3.3)

The BOP's budget integrates both DOJ and BOP Strategic Goals and Objectives. Each performance objective is linked with the costs of critical strategic actions. The FY 2014 B&F budget request includes resources to continue the New Construction base program, renovate a recently acquired facility and continue the current services amount for the most critical Modernization and Repair needs of existing institutions.

Resources for each objective that the BOP supports are identified under each decision unit. The total costs include the following:

- The direct cost of all activities
- Indirect costs
- Common administrative systems costs

Both performance and resource tables within each decision unit justification define the total costs of achieving the strategies the BOP will implement in FY 2014.

#### **FY 2014 Budget Request by Decision Unit**

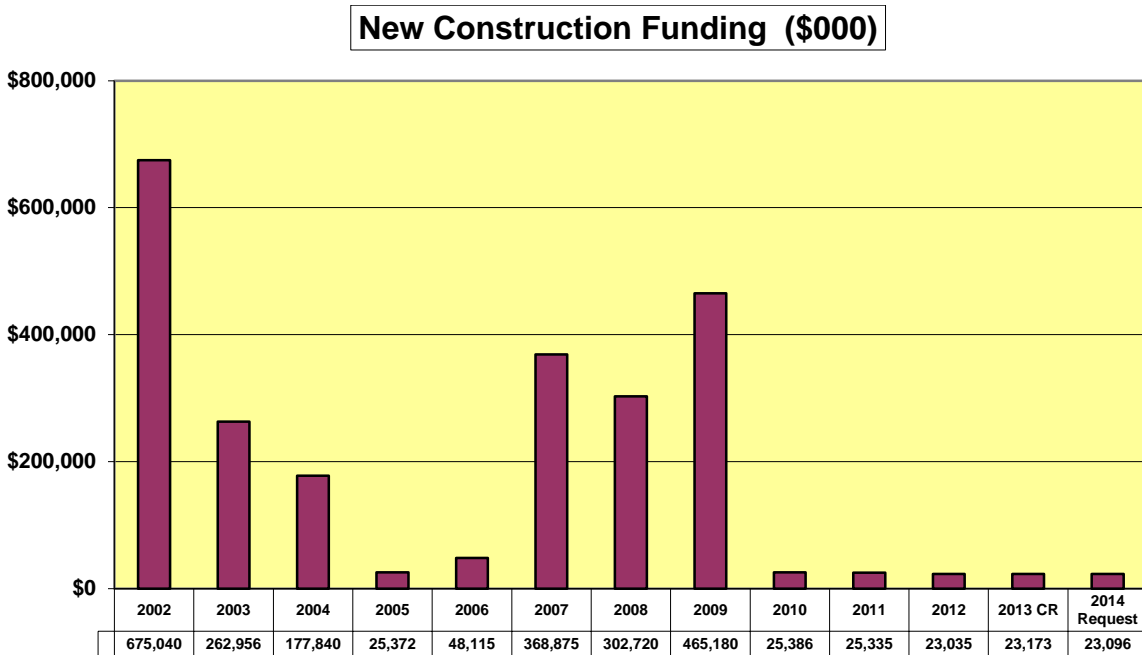
##### New Construction Funds: \$23,096,000

In addition to this request, a rescission of \$30,000,000 in prior years' New Construction unobligated balances is proposed. The rescission eliminates funding of \$19.7 million from the "Administrative U.S. Penitentiary Thomson, IL" facility and reduces four partially funded projects as shown on the Status of Construction (Exhibit N), leaving \$500,000 or less in available funding in each.

For FY 2014, \$23,096,000 in New Construction base funds are required to provide for ongoing expenses within the decision unit. New Construction base resources are essential to the program and required for the Oklahoma Transfer Center lease payments (approximately \$10 million per year); salaries and administrative costs of architects,

project managers, site selection, procurement, and other staff necessary to carry out the program objective; environmental requirements and geo-technical exploration; construction of inmate work program areas; expansion and conversion projects, i.e. additional special housing unit space; and any unforeseen preliminary project costs issues which may arise and are not included in the individual project cost estimate. Further, new construction base funds are utilized when site investigations are required for a project in which a specific location has not yet been identified.

The following chart shows the history of New Construction funding levels from FY 2002 to the FY 2014 Request.



Note: The FY 2013 CR maintains a rescission of \$45 million in prior years' unobligated New Construction balances. The BOP absorbed prior rescissions against new construction project funds of \$5.7 million in FY 2002, \$51.9 million in FY 2004, and \$45 million in FY 2012.

**Modernization and Repair: \$82,148,000**

The request for the Modernization and Repair decision unit includes base resources in the amount of \$67,148,000 and program increases of \$15,000,000 to renovate Administrative US Penitentiary Thomson, IL.

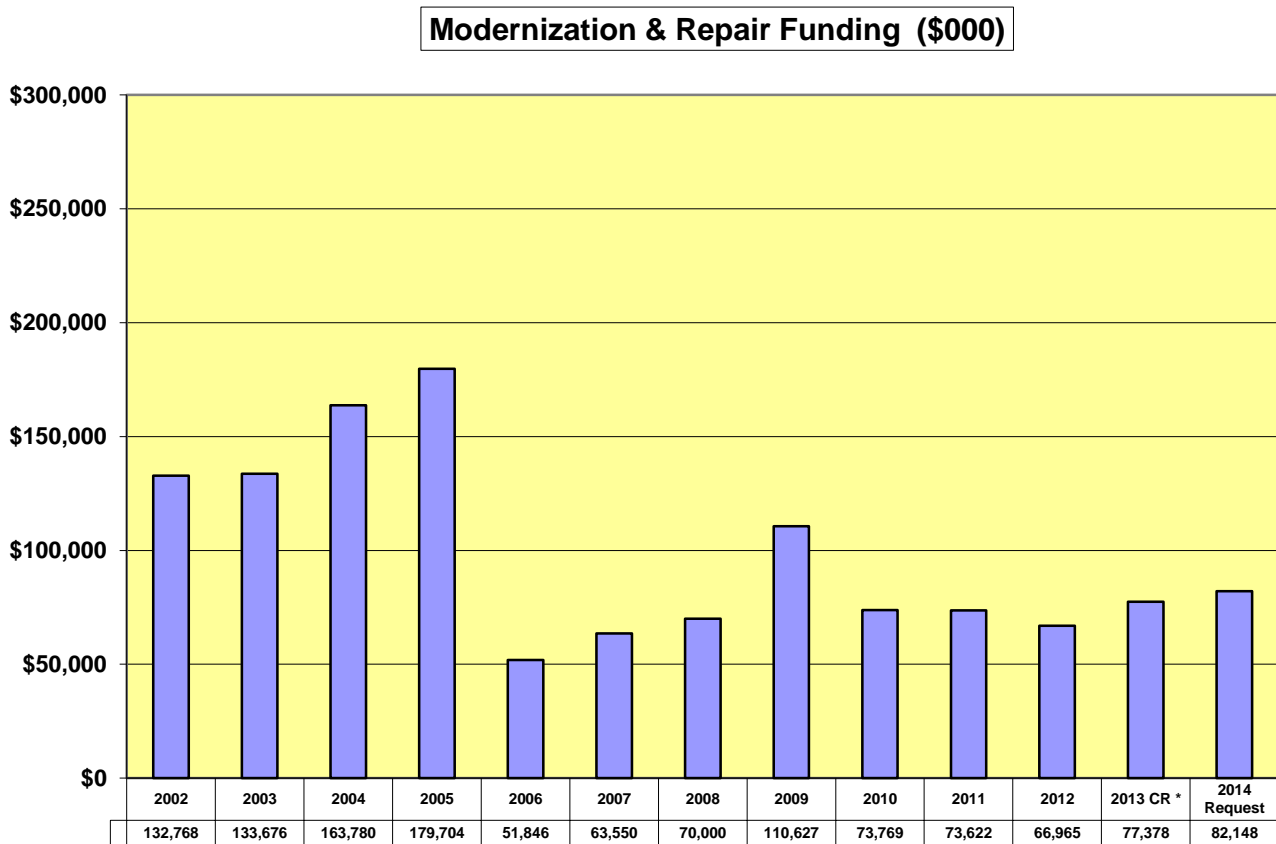
The request for a program increase is critical to manage the federal inmate population which exceeds the rated capacity. Renovating the Thomson facility will add much needed bed space and ease high levels of overcrowding at high security facilities. This request will allow the BOP to quickly address the shortage of bed space for the most violent offenders.

For FY 2014, \$67,148,000, or a 0.25 percent replacement value level, is requested for the M&R program to remain at the current services level. This requested base level for

M&R will fund basic and emergency type repairs of BOP’s aging facilities’ infrastructures.

The M&R program is intended to provide the necessary resources to undertake essential rehabilitation, renovation and replacement projects at existing institutions to ensure structures, utilities systems, and other plant facilities are operational. M&R is essential to institution security because deteriorated facilities add to increased risk of escape, inability to lock down cells, and violence due to frustration over inadequate living conditions, such as leaking and collapsing roofs at some locations that are in need of replacement.

The following chart shows the history of M&R funding levels and requests from FY 2002 to FY 2014.



\* This amount includes \$10 million in Supplemental Appropriation for Hurricane Sandy Relief, for repairs at prisons affected by the storm.

#### 4. Performance Challenges

The biggest challenge facing the BOP is managing the ever increasing federal inmate population and providing for their care and safety, while maintaining appropriately safe and secure prisons, required to ensure the safety of BOP staff and surrounding communities within budgeted levels. The system-wide crowding level in BOP facilities is currently 37 percent above rated capacity (as of March 21, 2013), and it is projected that the population will continue to outpace available bed space in future years. Therefore, adding new capacity to accommodate the increasing population is crucial to reducing overcrowding and effectively managing federal inmates. In addition, M&R

funding is important to safely and properly maintain existing prisons. Prison facilities are subjected to much heavier than normal use, since they are continuously used 24 hours a day, 365 days a year, in overcrowded conditions. Failure to maintain structures can cause direct and/or indirect security problems.

It has been particularly challenging to manage the federal prisoner population at higher security levels. The combined inmate population confined in medium and high security facilities represents over 47 percent of the BOP institution inmate population. It is important to note that at the medium security level, about 67 percent of the inmates are drug offenders or weapons offenders, approximately 75 percent have a history of violence, 40 percent have been sanctioned for violating prison rules, and half of the inmates in this population have sentences in excess of 8 years. At the high security level, more than 70 percent of the inmates are drug offenders, weapons offenders, or robbers, another 10 percent have been convicted of murder, aggravated assault, or kidnapping, and half of the inmates in this population have sentences in excess of 10 years. Furthermore, nearly 70 percent of high security inmates have been sanctioned for violating prison rules, and more than 90 percent have a history of violence.

Further, with the ongoing threats and activity of terrorist organizations, the BOP's work has taken on significantly greater risks with the incarceration of high-profile convicted terrorists such as: Zacarias Mossaoui, Nidal Ayyad (World Trade Center Bomber), Terry Nichols, Sheik Rahman, Richard Reid, Ramzi Yousef, Ahmed Ghailani, and Colleen LaRose (a.k.a. Jihad Jane).

About one-third of the BOP's 119 institutions are over 50 years old. The BOP prioritizes its major M&R projects (typically those costing about \$300,000 or more) so that the most critical are funded first in order to maintain safe and secure facilities. Maintaining sufficient M&R resources is crucial to ensuring BOP facilities are kept in an adequate state of repair for the safety of staff, inmates, and the surrounding communities. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair. This is particularly important given the Administration's emphasis on agency asset management planning processes.

The BOP has made significant progress in environmental and energy performance and will continue to integrate and update prior practices and requirements, as funding permits. The BOP is actively utilizing the ESPC finance mechanism permitted by Executive Order 13423 and Energy Policy Act. An ESPC is a contract that provides for the performance of services for the design, acquisition, financing, installation, testing, operation, and where appropriate, maintenance and repair, of an identified energy or water conservation measure or series of measures at one or more locations. The contractor must incur costs of implementing energy savings measures, including at least the cost (if any) incurred in making energy audits, acquiring and installing equipment, and training personnel in exchange for a predetermined share of the value of the energy savings directly resulting from implementation of such measures during the term of the contract. Payment to the contractor is contingent upon realizing a guaranteed stream of future energy and cost savings, with any savings in excess of that guaranteed by the contractor accruing to the Federal Government.

Thus far in FY 2013, the BOP has awarded one Utility Energy Service Contract. Thirty-one ESPCs have been initiated over the last five years, and the BOP has moved forward with ESPCs at twenty-four institutions. The BOP implemented a performance contract schedule which incorporates each institution within the BOP to complete a performance contract by the end of FY 2020.

With 119 federal prisons and about 218,000 inmates, the BOP is the largest energy and water consumer in the Department of Justice. Like all other government entities, the BOP is required to meet the goals established in the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007 and Executive Order (EO) 13423. As stated, the BOP is aggressively pursuing ESPCs to help meet these goals, but with our increasing inmate population and aging infrastructure, ESPCs alone will not be enough. Currently, on the M&R backlog list, there are approximately \$29 million in energy related projects. It is estimated that during the next five years, the BOP will need over \$250 million in energy related M&R funds to meet these goals. As an example, Executive Order 13423 requires that by 2015, 15 percent of BOP buildings/institutions are to be sustainable. To be considered sustainable, these buildings have to meet the five guiding principles of sustainability. An engineering firm performed a contract study on an existing institution to determine the estimated cost to meet these guiding principles. The estimate for this work is approximately \$3 million. To meet the 15 percent requirement, the BOP would have to make 18 prisons sustainable. This alone would require approximately \$51 million in M&R funds.

Most recently, Executive Order (EO) 13514 was issued. The purpose of this EO is to reduce Green House Gases government-wide. This will require the BOP to reduce energy consumption even further. It has not yet been determined how the BOP will meet the mandates of this EO, but it is anticipated that a significant amount of M&R funds will be needed to get there. Also, in order to meet the requirements of this EO, old equipment will have to be replaced, i.e. boilers. The BOP has 34 institutions that are over 50 years old and a large amount of equipment at these institutions is inefficient and emits large quantities of greenhouse gases. If the BOP were to replace the equipment, these costs could exceed \$50 million.

The BOP is also in the process of self-certifying the Environmental Management Systems (EMS) based on requirements of International Organization Standards 14001. The main purpose of EMS is to identify operations which affect the environment. During the self-certification process, a survey team performs an inspection to determine if the institution complies with all environmental regulations. As a result of inspections, the BOP has found that many institutions require infrastructure improvements to meet regulations. For example, after an inspection that took place at USP Atlanta, it was determined that the underground fuel tanks would have to be replaced to meet the current standards. The cost of this work is approximately \$350,000. The total cost estimate to provide the necessary repairs, Bureau-wide, could amount to \$10 million. If these repairs are not made, BOP may be subjected to possible fines by the EPA, and even worse, could have an incident that damages the environment.

## II. Summary of Program Changes

| Item Name                     | Description  |          |          | Page             |                 |
|-------------------------------|--|----------|----------|------------------|-----------------|
|                               |  | Pos.     | FTE      |                  | Dollars (\$000) |
| Renovate an Acquired Facility | Funds to Renovate Administrative USP Thomson, IL           | 0        | 2        | 15,000           | 33              |
| Rescission of Funds           | Rescind Prior Years' New Construction Unobligated Balances | 0        | 0        | -30,000          | 36              |
| <b>Total Program Changes</b>  |  | <b>0</b> | <b>2</b> | <b>\$-15,000</b> |                 |



### **III: Appropriations Language and Analysis of Appropriations Language**

#### **Appropriations Language**

The 2014 budget estimates include proposed changes in the appropriation language listed and explained below. New language is *italicized*.

#### **Buildings and Facilities**

*For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$105,244,000, to remain available until expended, of which not less than \$82,148,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.*

*(cancellation)*

*Of the unobligated balances from prior year appropriations available under this heading, \$30,000,000, are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.*

*Note: A full-year 2013 appropriation for this account was not enacted at the time the budget was prepared: therefore, this account is operating under a continuing resolution (P.L. 112-175). The amounts included for 2013 reflect the annualized level provided by the continuing resolution.*

## IV. Decision Unit Justification

### A. New Construction

| <b>New Construction</b>                                  | <b>Perm.<br/>Pos.</b> | <b>FTE</b> | <b>Amount<br/>(\$000)</b> |
|--|-----------------------|------------|---------------------------|
| 2012 Enacted   | 134                   | 115        | 23,035                    |
| 2013 Continuing Resolution                               | 134                   | 60         | 23,035                    |
| 2013 Continuing Resolution 0.612% Increase               | 134                   | 60         | 23,173                    |
| 2013 Supplemental Appropriation – Sandy Hurricane Relief | 0                     | 0          | 0                         |
| Base and Technical Adjustments                           | -36                   | 0          | -77                       |
| 2014 Current Services                                    | 98                    | 60         | 23,096                    |
| 2014 Program Increases                                   | 0                     | 0          | 0                         |
| 2014 Program Offsets/Balance Rescission                  | 0                     | 0          | [\$30,000]                |
| 2014 Request   | 98                    | 60         | 23,096                    |
| <b>Total Change 2012-2014</b>                            | <b>-36</b>            | <b>-55</b> | <b>\$61</b>               |

**No Information Technology for this program.**

#### 1. Program Description

##### New Construction

**The budget proposes a rescission of \$30 million in prior years' unobligated New Construction balances. The rescission reduces the "Administrative USP Thomson, IL" project and four other partially funded projects as shown on Exhibit N.**

For FY 2014, \$23,096,000 in New Construction base funds are required to provide for ongoing expenses within the decision unit. New Construction base resources are required for the Oklahoma Transfer Center lease payments (approximately \$10 million per year); salaries and administrative costs of architects, project managers, site selection, procurement, and other staff necessary to carry out the program objective; environmental requirements and geo-technical exploration; construction of inmate work program areas; expansion and conversion projects, i.e. additional special housing unit space; and any unforeseen preliminary project costs issues which may arise and are not included in the individual project cost estimate. Further, new construction base funds are utilized when site investigations are required for a project in which a specific location has not yet been identified.

Most criminal justice agencies have some degree of discretion in controlling their workloads, typically through priority systems developed to ensure that the most important cases are handled first. However, the BOP must, by law, accept all inmates sentenced to confinement by the Federal courts. In addition, in accordance with the D.C. Revitalization Act of 1997, the BOP must accept responsibility for the District of Columbia sentenced felon population.

The BOP regularly reviews capacity requirements, considers the current and projected inmate population levels, current law enforcement initiatives, geographic origin of the confined population, and the age and condition of existing facilities. As federal inmate population levels are projected to continue increasing, the BOP will strive to manage the population to ensure that federal inmates continue to serve their sentences in a safe and humane environment.

The BOP strives to accommodate its population in the safest and most cost effective manner. The BOP continues to explore opportunities for increasing capacity through the utilization of contract facilities, expansion of existing facilities, acquisition and conversion of military and other properties to prison use, and the ongoing design and construction of new prisons, consistent with capacity planning and available funding.

From a cost perspective, the expansion of existing institutions is considered by BOP to be a cost effective technique for increasing prison capacity, and the BOP has added housing units at facilities where program space and systems infrastructure can absorb further population increases. However, where major program and support areas such as food service and utilities are at capacity, institutional expansion may be cost prohibitive and other alternatives are considered.

GAO Report 08-634, PRISON CONSTRUCTION, recommended that the BOP communicate in DOJ's annual Congressional budget submission: (1) the extent to which project costs may vary from initial estimates, and (2) changes that may impact the functionality of projects.

- (1) Actual Costs May Vary from Initial Estimates - The cost estimates appearing on the Status of Construction exhibit are preliminary and are updated periodically based on the following factors: when full construction funds are anticipated to become available; geographic location; historical and projected cost escalation; and allowances for uncertainty as to actual sites to be developed. Preliminary estimates in this budget have been adjusted primarily due to when full construction funds are anticipated to become available and based on security level and capacity changes noted below. Although cost escalation has been lower in recent years, preliminary cost estimates historically increase (approximately 5 percent or more) each year until full funding is provided for projects and construction contracts can be awarded.
- (2) Changes from the FY 2013 Congressional Budget – Construction at the Secure Female FCI Aliceville, AL facility has been completed. Therefore, the project was removed from the report. The construction completion date for USP Yazoo City, MS with camp was changed from January 2013 to July 2013. The “Acquire Existing Institution for higher security FCI” was changed to “Administrative USP Thomson, IL with camp” since the BOP acquired the facility on 10/2/2012. The FY 2013 Continuing Resolution along with the FY 2014 Budget includes rescissions that will impact five new construction projects. Total proposed project rescissions are as follows: rescission of \$64.7 million from the

Administrative USP Thomson, IL facility; rescission of \$5.4 million from the FCI Midwestern/Leavenworth, KS with camp project; rescission of \$3.8 million from the USP Letcher County, KY with camp project; rescission of \$848,000 from the USP South Central/Forrest City, AR with camp project; and rescission of \$127,000 from the Administrative USP El Reno (Western), OK with camp project.

In addition, activation funding dates for the following projects cannot be determined, due to proposed FY 2013 and FY 2014 rescission of funds and insufficient available resources: FCI Midwestern/Leavenworth, KS with camp; USP Bennettsville, SC with camp; USP Letcher, KY with camp; USP South Central/Forrest City, AR with camp; Administrative USP El Reno, OK with camp; USP North Central/Pekin, IL with camp; and FCI Florida with camp.

2. Performance and Resource Tables

| PERFORMANCE AND RESOURCES TABLE   |  |         |        |         |        |            |        |  |        |                   |         |
|---|--|---------|--------|---------|--------|------------|--------|--|--------|-------------------|---------|
| Decision Unit: New Construction   |  |         |        |         |        |            |        |  |        |                   |         |
| RESOURCES   |  | Target  |        | Actual  |        | Projected  |        | Changes  |        | Requested (Total) |         |
|   |  | FY 2012 |        | FY 2012 |        | FY 2013 CR |        | Current Services Adjustments and FY 2014 Program Changes |        | FY 2014 Request   |         |
| Total Costs and FTE   |  | FTE     | \$000  | FTE     | \$000  | FTE        | \$000  | FTE  | \$000  | FTE               | \$000   |
|   |  | 256     | 90,000 | 256     | 90,000 | 124        | 90,551 | 2  | 14,693 | 126               | 105,244 |
| TYPE/<br>STRATEGIC<br>OBJECTIVE   | Performance  | FY 2012 |        | FY 2012 |        | FY 2013 CR |        | Current Services Adjustments and FY 2014 Program Changes |        | FY 2014 Request   |         |
| Program Activity  |  | FTE     | \$000  | FTE     | \$000  | FTE        | \$000  | FTE  | \$000  | FTE               | \$000   |
|   |  | 115     | 23,035 | 115     | 23,035 | 60         | 23,173 | 0  | -77    | 60                | 23,096  |
| Performance Measure   | Number of Environmental Impact Studies/Environmental Assessments completed | 1       |        | 0       |        | 1          |        | 0  |        | 1                 |         |
| Performance Measure   | Number of major construction awards  | 0       |        | 0       |        | 0          |        | 0  |        | 0                 |         |
| Performance Measure   | System-wide crowding level *   | 40%     |        | 38%     |        | 38%        |        | 0  |        | 38%               |         |
| OUTCOME   | Number of facilities completed (including Thomson renovation in FY 2014)   | 1       |        | 1       |        | 2          |        | (1)  |        | 1                 |         |
| <p><b>Data Definition:</b> The crowding levels are based on a mathematical ratio of the number of inmates divided by the rated capacity of the institutions at each of the specific security levels. The percent of crowding represents the rate of crowding that is over rated capacity. For example, if an institution had a number of inmates that equaled the rated capacity, this would represent 100% occupancy, which equals 0% crowding. Any occupancy above 100% represents a percentage of crowding. System-wide: represents all inmates in BOP facilities and all rated capacity, including secure and non-secure facilities, low, medium, and high security levels, as well as administrative maximum, detention, medical, holdover, and other special housing unit categories. Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a lower inmate-to-staff ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, lowest inmate-to-staff ratio, close control of inmate movement. For new construction projects, a Notice to Proceed (NTP) is issued by the contracting officer, shortly after award of a design-build contract. The NTP authorizes the contractor to begin work under the contract, initially the start of design. Mission critical facilities are all existing BOP institutions.</p> <p><b>Data Collection and Storage:</b> Data are gathered from several computer systems. Each project is assigned a specific project code. Each obligation and expenditure is entered into FMIS by the specific project code. Award of design-build contracts for new construction projects are maintained and monitored through the BOP's fund control system and DOJ's FMIS. Inmate data are collected on the BOP on-line system (SENTRY). The BOP also utilizes a population forecast model to plan for future contracting and construction requirements to meet capacity needs.</p> |  |         |        |         |        |            |        |  |        |                   |         |

**Data Validation and Verification:** Within BOP headquarters, staff retrieve and verify data on a daily basis, analyze it, and formulate reports and projections. Purchase requests for design-build contracts are approved by specific project management staff (based on dollar threshold limitations); commitments are entered into a computer based fund control system; and purchase requests are forwarded for procurement action. Once the procurement office awards a contract/purchase order, the obligation is entered into the DOJ FMIS. Each month, FMIS obligations are reconciled with the BOP's fund control register by project, and forwarded to the Central Office Finance Branch, Business Office, to ensure accuracy and compliance. The contracting officer issues the NTP, shortly after award of a design-build contract. The award of a contract is based on completing the procurement of the contract and receipt of the necessary environmental or political requirements or clearances. Subject matter experts review and analyze population and capacity levels daily, both overall and by security level. BOP institutions print a SENTRY report, which provides the count of inmates within every institution cell house. The report further subdivides the cell houses into counting groups, based on the layout of the institution. Using this report, institution staff conduct an official inmate count five times per day to confirm the inmate count within SENTRY. The BOP Capacity Planning Committee (CPC), comprised of top BOP officials, meets bi-monthly to review, verify, and update population projections and capacity needs for the BOP. Offender data are collected regularly from the Administrative Office of the U.S. Courts by the BOP Office of Research and Evaluation in order to project population trends. The CPC reconciles bed space needs and crowding trends to ensure that all available prison space is fully utilized, both in federal prisons and in contract care.

**Data Limitations:** Due to the unpredictable environment in prisons and other external factors, there may be discrepancies between projected and actual numbers contained in the performance tables. Most plans are developed based on historical data, and past experience to project for the future. In addition, budget delays and shortfalls also affect performance results. The time required for a project to go from NTP to "completion" depends on numerous factors, such as: the extent of site development or remediation activities required; climate of the project site (how many months of good construction weather); what time of year the NTP is issued; unusual weather; unforeseen site conditions; and quality of management by the contractor.

| PERFORMANCE MEASURE TABLE                       |   |         |         |         |         |         |         |        |         |         |
|---|---|---------|---------|---------|---------|---------|---------|--------|---------|---------|
| Decision Unit: New Construction                 |   |         |         |         |         |         |         |        |         |         |
| Performance Report and Performance Plan Targets |   | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |        | FY 2013 | FY 2014 |
|   |   | Actual  | Actual  | Actual  | Actual  | Actual  | Target  | Actual | Target  | Target  |
| <b>Performance Measure</b>                      | Number of Environmental Impact Studies/Environmental Assessments completed. | 0       | 2       | 1       | 2       | 2       | 1       | 0      | 1       | 1       |
| <b>Performance Measure</b>                      | Number of major construction awards   | 2       | 1       | 2       | 0       | 0       | 0       | 0      | 0       | 0       |
| <b>Performance Measure</b>                      | *System-wide Crowding in Federal Prisons                                    | 37%     | 36%     | 37%     | 37%     | 39%     | 40%     | 38%    | 38%     | 38%     |
| <b>OUTCOME Measure</b>                          | Number of facilities completed  | 1       | 0       | 0       | 3       | 0       | 1       | 1      | 2       | 1       |

\* Denotes inclusion in the DOJ Annual Performance Plan FY 2012 - 2016 Strategic Plan

## **2. Performance, Resources, and Strategies**

The New Construction decision unit contributes directly to the Department's Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent administration of Justice at the Federal, State, Local, Tribal, and International Levels. Within this Goal, the decision unit's resources specifically address the Department's Strategic Objectives 3.3: Provide for the safe, secure, humane, and cost effective confinement of detainees awaiting trial and/or sentencing, and those in the custody of the Federal Prison System.

### **a. Performance Plan and Report for Outcomes**

As illustrated in the preceding Performance and Resources Table, the outcome measures for this decision unit include: Number of facilities completed/constructed and System-wide crowding level.

During FY 2012, the BOP did not complete any Environmental Impact Study (EIS)/ Environmental Assessments. Only one EIS Environmental Assessment is anticipated in FY 2013 (CAR 14). However, the BOP anticipates one EIS Environmental Assessments to be completed in FY 2014 (CAR 15).

The BOP did not have any major construction awards in FY 2012 and does not currently anticipate any major construction awards in FY 2013 or FY 2014.

In FY 2012, BOP completed construction of one facility (Secure Female FCI Aliceville, AL). For FY 2013, the BOP anticipates the completion of the remaining two ongoing construction projects (USP Yazoo City, MS and FCI Hazelton, WV). There are no other fully funded ongoing construction projects for future years.

The population projections are based on data and information from a variety of sources including the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, other DOJ components, and the BOP's own information system (SENTRY). Additional capacity projections rely on future enactment of funding for contract beds, acquisitions, new construction, and activations. For FY 2012, the actual system-wide crowding was 38 percent. BOP's new projections for system-wide crowding (per the most recent capacity plan dated February 21, 2013) are estimated to remain at 38 percent for FY 2013 and FY 2014.

### **b. Strategies to Accomplish Outcomes**

The BOP strives to acquire needed capacity through a multi-pronged approach of contracts with private providers of correctional services for male low security special populations, with state and local governments, expansions of existing facilities, and construction and acquisition of new prisons, as funding permits. BOP continues to contract out for male special population low and minimum security inmates. A total of 41,907 inmates (19.2 percent) were housed in contract confinement as of March 21, 2013.



## B. Modernization and Repair

| <b>Modernization and Repair</b>                          | <b>Perm.<br/>Pos.</b> | <b>FTE</b> | <b>Amount<br/>(\$000)</b> |
|--|-----------------------|------------|---------------------------|
| 2012 Enacted   | 141                   | 141        | 66,965                    |
| 2013 Continuing Resolution                               | 141                   | 60         | 66,965                    |
| 2013 Continuing Resolution 0.612% Increase               | 141                   | 60         | 67,378                    |
| 2013 Supplemental Appropriation – Sandy Hurricane Relief | 0                     | 0          | 10,000                    |
| Base and Technical Adjustments                           | 0                     | 0          | -230                      |
| 2014 Current Services                                    | 141                   | 64         | 67,148                    |
| 2014 Program Increases                                   | 0                     | 2          | 15,000                    |
| 2014 Program Offsets                                     | 0                     | 0          | 0                         |
| 2014 Request   | 141                   | 64         | 82,148                    |
| <b>Total Change 2012-2014</b>                            | <b>0</b>              | <b>-77</b> | <b>\$15,183</b>           |

**No Information Technology for this program.**

### 1. Program Description

#### Modernization and Repair

For FY 2014, a total of \$67,148,000 is requested for the Modernization and Repair (M&R) base program. This program is intended to provide the base resources to undertake essential rehabilitation, modernization and renovation of buildings, other structures, and associated systems, necessary modifications to meet legal requirements and accommodate correctional programs, repair or replacement of utilities systems and other critical infrastructure and repair projects at existing institutions in order to keep all systems and structures in a good state of repair. Proper maintenance, modernization, and repair of BOP institutions are essential. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair. Most important, failure to maintain structures can cause direct and/or indirect security problems.

In addition, \$15,000,000 in M&R program increases are requested to renovate Administrative USP Thomson, IL. The Thomson facility was acquired in October 2012 and renovations and repairs are required to convert it to federal prison use.

Most maintenance and repair projects are performed using inmate work crews. This provides instructional work for inmates and labor for the work to be performed. Inmate work crews require staff supervision to direct the work being performed and for obvious security reasons.

Almost one-third of the BOP's 119 institutions are over 50 years old, and most have not undergone major renovations from the time they were constructed or acquired and converted to prison use by the BOP. Each facility has numerous buildings on the

compound, including inmate living quarters, many of which require extensive work to maintain an adequate state of repair to assure that they meet established standards. Prison facilities are subjected to much heavier than normal use, since they are continuously used 24 hours a day, 365 days a year, in overcrowded conditions. Because of the size of the population, at medium and high security prisons (which are 44 percent and 54 percent over rated capacity respectively as of March 21, 2013), the facilities are over utilized, causing extensive wear and tear, as well as premature deterioration. This is especially true in many of the older facilities where the utility system infrastructures (water, sewer, electrical, and heating/air conditioning) were originally designed for a smaller inmate population.

Institutions perform detailed annual inspections of all areas of their physical plants and provide a list of projects to their regional office for all items that are in need of remedial action. The regional offices consolidate major project request lists from their facilities and forward the priority lists to the central office. The central office prioritizes all the major M&R project requests (typically those over \$300,000) submitted by the regions and allocates funds for as many projects as practical.

As of September 30, 2012, the BOP had 560 ongoing major and minor M&R projects at various stages of completion. Individual project costs range from a low of \$10,000 to many millions of dollars. To manage this volume of projects and resources most efficiently, the BOP has significantly improved the M&R program by using long range master planning with detailed surveys of older facilities, and establishing a project time limit policy (three years).

To address the large inventory of older facilities, the BOP established a Long Range Master Plan that includes surveys of pertinent facilities. The first facilities to be surveyed were those which are over 50 years old and have not had any major renovations. Surveys were conducted by contractors to determine the extent of renovations required to bring the older facilities to an adequate state of repair, and whether the costs of repair would equal or exceed the cost of replacing the facility. Survey results, along with other known renovation needs, are then used by management in a long range plan, so M&R projects can be prioritized and planned in advance, but are dependent on funding levels.

A three year time limit policy for M&R projects was implemented in 1998 to ensure that institutions either complete scheduled projects in a timely manner, or the projects will be cancelled. When a project is cancelled, the funding is applied to the next highest priority project. All projects are monitored so local, regional, and central office management are informed of projects which may not meet the time limit. The number of M&R projects being cancelled per fiscal year decreased from 65 in FY 2002 to 7 in FY 2012.

The replacement value method of requesting funding was first implemented in FY 2000 which allowed the BOP to adopt a project management approach to the M&R program, since it should ensure a reliable funding stream and stable work force. This method is based on recommendations of the Federal Facilities Council (FFC), which recommends that facilities maintenance programs should be funded at 2 to 4 percent of their replacement value.

Using a replacement value method of funding rather than the previous line item method, allows projects to be planned well in advance, and preliminary/preparation work can be performed prior to the scheduled start of the projects. Previously, preliminary work could not always be performed since this required considerable expense, and there was no assurance projects would be funded. In addition, staff and jobs can now be scheduled to meet the unique requirements of each institution and project; i.e. shifting inmates between housing units at a given institution. The level of planning provided by this funding method enables management to obligate funds and start projects on schedule, which was not previously the case. Under the prior method, projects were funded up-front as line items, so staff and funding were dedicated to specific projects, which could not be started until preliminary/preparation work was completed.

The replacement value method of funding has shortened the time required to complete large M&R projects, through concurrent management of projects in phases, based on projected availability of funds. Under this method, managers can plan projects in smaller stages over a longer period of time and can schedule work to allow for regional and seasonal weather conditions, as well as the unique needs of the facilities and availability of local contractors. Prior to this method, it could take BOP from four to five years to complete large M&R projects. With the replacement value method, the time to complete these projects can be reduced by two to three years.

The BOP M&R projects are classified under five general categories for internal management purposes, (Life Safety, General Improvements, Infrastructure Improvements, Hazardous Waste, and Energy Savings). Within each of these categories are special projects to meet various regulations and codes requirements. Life Safety projects are required to make corrective actions in order to comply with National Fire Code (NFPA 101) standards. General Improvement projects are established to modernize and/or improve equipment, entire rooms, such as kitchens, or buildings that require total rehabilitation of structures, including walls, and utilities. Infrastructure Improvement projects are established to modernize or replace utilities, such as water pipes and electrical systems. Hazardous Waste projects are established to abate hazardous waste, such as asbestos, through removal, encapsulation, and other methods as necessary. Energy Savings projects are established to conserve energy by using more energy efficient equipment and systems. Energy projects are also required to meet pertinent energy conservation laws and regulations.

The five categories may also contain subcategories of projects (such as Accessibility, Environmental, and others) to meet specific needs. For example, General Improvement projects may each include smaller Accessibility projects to meet Architectural Barriers Act requirements. Environmental projects are necessary for the BOP to be in compliance with environmental and safety regulations required by the Environmental Protection Agency (EPA) and the Office of Safety and Health Administration (OSHA).

The BOP has made significant progress in environmental and energy performance and will continue to integrate and update prior practices and requirements. Receipt of sufficient M&R funding will further ensure enhanced performance and compliance with

statutory and legal requirements. The BOP is actively utilizing the Energy Saving Performance Contract (ESPC) finance mechanism permitted by Executive Order 13423 and Energy Policy Act.

An ESPC is a contract that provides for the performance of services for the design, acquisition, financing, installation, testing, operation, and where appropriate, maintenance and repair, of an identified energy or water conservation measure or series of measures at one or more locations. The BOP has twenty four ESPCs plus one Utility Energy Savings Contract (UESC) in different phases, and plans to look into the utilization of these contracts at every institution where it is practical.

With 119 federal prisons and about 218,000 inmates, the BOP is the largest energy and water consumer in the Department of Justice. Like all other government entities, the BOP is required to meet the goals established in the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007 and Executive Order (EO) 13423. As stated, the BOP is aggressively pursuing ESPCs to help meet these goals, but with our increasing inmate population and degrading infrastructure, ESPCs alone will not be enough. Currently, on the M&R back log list, there are approximately \$29 million in energy related projects. It is estimated that during the next five years, the BOP would need over \$250 million in energy related M&R funds to meet these goals. As an example, Executive Order 13423 requires that by 2015, 15 percent of BOP buildings/institutions are to be sustainable.

Most recently, Executive Order 13514 was issued. The purpose of this EO is to reduce Green House Gases government-wide. This will require the BOP to reduce energy consumption even further. It has not yet been determined how the BOP will meet the mandates of this EO, but it is anticipated that a significant amount of M&R funds will be needed to get there.

The BOP is also in the process of self-certifying the Environmental Management Systems (EMS). The main purpose of EMS is to identify operations which effect the environment. During the self-certification process, a survey team performs an inspection to determine if the institution complies with all environmental regulations. As a result of inspections, the BOP has found that many institutions require infrastructure improvements to meet regulations.

The M&R program has demonstrated substantial improvements through the implementation of the Long Range Planning method with its associated facility surveys, the project time limit policy, and the two percent replacement value method of requesting funding. These changes have helped the BOP complete more projects in a shorter period of time and stretch its repair dollars. With the time limit policy, the BOP has been able to substantially reduce the M&R unobligated balance from over \$118 million in FY 1999 down to \$11.2 million at the end of FY 2012.

The BOP has a current backlog of M&R major project priorities totaling 159 projects at an approximate cost of \$342 million. This list does not encompass all of BOP's M&R needs. The list reflects only those major projects (typically costing over \$300,000) that

have been approved to receive funding as resources become available. Also, the list does not reflect the universe of unfunded repair and improvement minor projects (less than \$300,000) which are managed and prioritized at the regional level.

BOP's priority continues to be the funding of emergency, security, and life safety type projects. For FY 2014, an M&R base amount of \$67.1 million is requested to maintain current services, or 0.25 percent replacement value. This level for M&R will fund a limited number of the most critical repairs of BOP's aging facilities' infrastructure. Additionally, \$15 million in resources are requested for renovations and repair of the Administrative USP Thomson facility.

2. Performance and Resource Tables

| PERFORMANCE AND RESOURCES TABLE  |   |         |        |         |        |            |        |  |        |                   |         |
|--|---|---------|--------|---------|--------|------------|--------|--|--------|-------------------|---------|
| Decision Unit: Modernization and Repair of Existing Facilities   |   |         |        |         |        |            |        |  |        |                   |         |
| RESOURCES  |   | Target  |        | Actual  |        | Projected  |        | Changes  |        | Requested (Total) |         |
|  |   | FY 2012 |        | FY 2012 |        | FY 2013 CR |        | Current Services Adjustments and FY 2014 Program Changes |        | FY 2014 Request   |         |
| Total Costs and FTE  |   | FTE     | \$000  | FTE     | \$000  | FTE        | \$000  | FTE  | \$000  | FTE               | \$000   |
|  |   | 256     | 90,000 | 256     | 90,000 | 124        | 90,551 | 2  | 14,693 | 126               | 105,244 |
| TYPE/<br>STRATEGIC<br>OBJECTIVE  | Performance   | FY 2012 |        | FY 2012 |        | FY 2013 CR |        | Current Services Adjustments and FY 2014 Program Changes |        | FY 2014 Request   |         |
| Program Activity   |   | FTE     | \$000  | FTE     | \$000  | FTE        | \$000  | FTE  | \$000  | FTE               | \$000   |
|  |   | 141     | 66,965 | 141     | 66,965 | 64         | 67,378 | 2  | 14,770 | 66                | 82,148  |
| Workload Measure   | Total projects completed and closed                                       | 300     |        | 482     |        | 310        |        | 40   |        | 350               |         |
| Workload Measure   | Total projects active at year end   | 665     |        | 560     |        | 665        |        | 20   |        | 685               |         |
| Performance Measure  | Number of facilities over 30 years old                                    | 51      |        | 51      |        | 51         |        | 0  |        | 51                |         |
| Performance Measure  | Number of facilities over 50 years old                                    | 33      |        | 33      |        | 34         |        | 1  |        | 35                |         |
| Performance Measure  | Long range master plan for facilities over 50 years old in development    | 0       |        | 0       |        | 0          |        | 0  |        | 0                 |         |
| Performance Measure  | Long range master plan for facilities over 50 years old – total completed | 25      |        | 25      |        | 25         |        | 0  |        | 25                |         |
| Outcome  | Court ordered remedial projects   | 0       |        | 0       |        | 0          |        | 0  |        | 0                 |         |
| Outcome  | Dollar value of fines for violations                                      | 0       |        | 0       |        | 0          |        | 0  |        | 0                 |         |
| <p><b>Data Definition:</b> The crowding levels are based on a mathematical ratio of the number of inmates divided by the rated capacity of the institutions at each of the specific security levels. The percent of crowding represents the rate of crowding that is over rated capacity. For example, if an institution had a number of inmates that equaled the rated capacity, this would represent 100% occupancy, which equals 0% crowding. Any occupancy above 100% represents a percentage of crowding. System-wide: represents all inmates in BOP facilities and all rated capacity, including secure and non-secure facilities, low, medium, and high security levels, as well as</p> |   |         |        |         |        |            |        |  |        |                   |         |

administrative maximum, detention, medical, holdover, and other special housing unit categories. Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a lower inmate-to-staff ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, lowest inmate-to-staff ratio, close control of inmate movement. The three-year time limit policy for M&R projects means that institutions are allowed three years to complete scheduled projects or the project is canceled and the funds are committed to other high priority M&R projects. To ensure that electronic equipment utilized for life safety sustains trouble-free operation, the BOP schedules life cycle equipment replacement based on a ten-year cycle. The critical equipment is radio systems and PBX (Public Branch Exchange) systems. Mission critical facilities are all existing BOP institutions.

**Data Collection and Storage:** Data are gathered from several computer systems. Each project is assigned a specific project code. Each obligation and expenditure is entered into FMIS by the specific project code. Modernization and Repair (M&R) projects are closely monitored to ensure completion and closure prior to the 3-year time limit. At the start of every fiscal year, the BOP's Central Office identifies the M&R projects that will reach the 3-year time limit by the end of that fiscal year. The BOP relies on an in-house house data base in Microsoft Access and DOJ's FMIS to effectively track and manage M&R projects (dates and costs). The BOP uses the Total Maintenance System (TMS) program to determine nationally which radio, PBX System and equipment qualify for replacement annually, based on age and performance.

**Data Validation and Verification:** Within BOP headquarters, staff retrieve and verify data on a daily basis, analyze it, and formulate reports and projections. Subject matter experts review and analyze population and capacity levels daily, both overall and by security level. Purchase requests are approved by specific project management staff (based on dollar threshold limitations); commitments are entered into a computer based fund control system; and purchase requests are forwarded for procurement action. Once the procurement office awards a contract/purchase order, the obligation is entered into the DOJ FMIS. Each month, FMIS obligations are reconciled with the BOP's fund control register by project, and forwarded to the Central Office Finance Branch, Business Office, to ensure accuracy and compliance. M&R data is maintained in the Microsoft Access database and is verified periodically against FMIS which also tracks the financial status of projects. On an annual basis, the BOP's Central Office Facilities Branch documents which electronic equipment, utilized for life safety, will be at the end of the ten year life cycle. This is accomplished through review and evaluation of the systems by field staff, the contractor, and close monitoring of the TMS program. Each institution enters their data into the TMS program and the information on the critical equipment is reviewed and verified by their respective Regional Office for accurate dates and equipment condition. .

**Data Limitations:** Due to the unpredictable environment in prisons and other external factors, there may be discrepancies between projected and actual numbers contained in the performance tables. Most plans are all required equipment replacements based on the ten-year life cycle developed based on historical data, and past experience to project for the future. In addition, budget delays and shortfalls also affect performance results. For example, due to budget shortfalls in the past in the M&R program could not be completed due to limited funds, and some replacements had to be delayed to the following year.

| PERFORMANCE MEASURE TABLE                       |   |         |         |         |         |         |         |         |         |         |
|---|---|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Decision Unit: Modernization & Repair           |   |         |         |         |         |         |         |         |         |         |
| Performance Report and Performance Plan Targets |   | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 |         | FY 2013 | FY 2014 |
|   |   | Actual  | Actual  | Actual  | Actual  | Actual  | Target  | Actual  | Target  | Target  |
| <b>Workload Measure</b>                         | M&R projects: Completed/Active  | 435/603 | 438/612 | 412/618 | 441/586 | 435/615 | 300/665 | 482/560 | 310/665 | 350/685 |
| <b>Performance Measure</b>                      | Number of facilities over 30 years old                                | 55      | 55      | 48      | 50      | 50      | 51      | 51      | 51      | 51      |
| <b>Performance Measure</b>                      | Number of facilities over 50 years old                                | 36      | 34      | 32      | 33      | 33      | 33      | 33      | 34      | 35      |
| <b>Performance Measure</b>                      | Long range master plan for facilities over 50 years in development    | 0       | 0       | 0       | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Performance Measure</b>                      | Long range master plan for facilities over 50 years - total completed | 25      | 25      | 25      | 25      | 25      | 25      | 25      | 25      | 25      |



## **2. Performance, Resources, and Strategies**

The Modernization and Repair (M&R) decision unit contributes directly to the Department's Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent administration of Justice at the Federal, State, Local, Tribal, and International Levels. Within this Goal, the decision unit's resources specifically address the Department's Strategic Objectives 3.3: Provide for the safe, secure, humane, and cost effective confinement of detainees awaiting trial and/or sentencing, and those in the custody of the Federal Prison System.

### **a. Performance Plan and Report for Outcomes**

As illustrated in the preceding Performance and Resources Table, the outcome measures for this decision unit include: Court ordered remedial projects and Dollar value of fines for violations.

The BOP funds M&R projects within its available resource level. In FY 2012 the BOP completed and closed 482 M&R projects, leaving 560 active. For FY 2013, BOP anticipates completing and closing 310 M&R projects, leaving 665 active at year end and for FY 2014, BOP anticipates completing 350 M&R projects, leaving 685 active at year end. Institutions perform detailed annual inspections of all areas of their physical plants and provide a list of projects to their regional office for all items which are in need of remedial action, and they are placed on a priority list for funding.

Depending on funding for FY 2014, the BOP plans to complete renovations of the Administrative USP Thomson, IL facility.

The BOP projects that there will continue to be no court ordered remedial projects or dollar value of fines for violations for FY 2013 and FY 2014. The BOP follows a plan to help assure that existing facilities meet established standards.

### **b. Strategies to Accomplish Outcomes**

The M&R program has demonstrated substantial improvements through the implementation of the Long Range Planning method with its associated facility surveys and the project time limit policy.

## V. Program Increases by Item

### Item Name: Renovate/Repair Administrative USP Thomson, Illinois

Budget Decision Unit: Modernization and Repair  
Strategic Goal & Objective: Goal 3; Objective 3.3  
Organizational Program: Modernization and Repair

Component Ranking of Item: 1 of 1

#### Program Increase:

|   | <u>Pos.</u> | <u>Agt./Atty</u> | <u>FTE</u> | <u>Dollars (\$000)</u> |
|---|-------------|------------------|------------|------------------------|
| Renovate Administrative USP Thomson, IL | <u>0</u>    | <u>0</u>         | <u>2</u>   | <u>15,000</u>          |
| <b>Total Program Increase</b>           | <b>0</b>    | <b>0</b>         | <b>2</b>   | <b>\$15,000</b>        |

#### Description of Item

For FY 2014, resources are requested to renovate Administrative U.S. Penitentiary (Administrative USP) Thomson, Illinois. This facility will house high security federal inmates and provide much needed bed space at this security level.

#### Justification

Crowding at high security facilities continues to be a great concern for the BOP. These institutions are operating at 54 percent over rated capacity. Further, inmate crowding at high security levels is projected to worsen in future years, as the population continues to outpace capacity. The BOP operates a cost efficient new construction program and utilizes other means of acquiring bed space whenever possible to achieve the most efficient operations. This request, to renovate Administrative USP Thomson, will add high security bed space to house persons prosecuted and sentenced under federal law.

The BOP acquired the Thomson facility in October 2012 and is in need of funds to renovate and convert the facility to meet federal prison standards. The Thomson Correctional Center is a relatively new facility, built to house high security inmates. Renovating this facility will not only allow the BOP to quickly add needed capacity, but it will also permit the BOP to move high security and administrative maximum inmates out of USPs to free up bed space for the higher security general population.

Administrative USP Thomson will house some Administrative Maximum (ADX) security inmates as well as high security inmates in the Special Management Unit (SMU) program. The BOP's ADX facility houses the most violent, disruptive, dangerous and escape-prone inmates within the Federal Prison System including those convicted of terrorist activities. The number of ADX beds available in BOP has not increased since ADX Florence, Colorado was activated in 1994, when the total inmate population was approximately 95,000. Currently, the institution is at its capacity and cannot safely accommodate projected increases in these types of inmates who

are within or entering the prison system. Due to their violent history, these inmates cannot be placed in just any institution or permitted to be bunked with other inmates or mingle with the general population.

The SMU program is for inmates who have participated in or had a leadership role in geographical group/gang-related activity or those who otherwise present unique security and management concerns. The BOP designates inmates to SMUs where greater management of their interaction is necessary to ensure the safety, security, or orderly operation of Bureau facilities. SMU designation is non-punitive, and may be appropriate for any inmate meeting the referral criteria. Conditions of confinement for SMU inmates are more restrictive than for general population inmates. Inmates are expected to complete the four-level SMU program in 18 to 24 months, at which time they may be re-designated to an appropriate facility. Successful completion requires strict adherence to the rules and regulations of the unit. In addition, completion of the program requires active participation in self-study, individual, and group activities geared toward the development of behavior and values that will allow for the successful reintegration into general population. Thus, this request for renovation of the Thomson facility has been determined to be the most cost efficient and suitable method of adding much needed ADX type and high security capacity.

Through continual work with DOJ and the U.S. Courts, population trends are monitored and BOP population projections are adjusted accordingly. As of March 21, 2013, the inmate population in BOP institutions was 176,022, while only operating at a rated capacity of 128,731. Inmate crowding, especially at high security levels, is high and additional bed space is crucial to provide some relief for staff and inmates. In fact, high levels of crowding and increased inmate-to-staff ratios correlate to increased rates of serious assaults, which is of greatest concern for the BOP. Inmate crowding that is not addressed will continue to endanger staff, inmates, and the community.

This request to renovate the Thomson Correctional Center to federal prison use will add 2,100 new high security beds to capacity to help address crowding at this level. The new capacity that this request will provide is critical to the safe operations of BOP institutions.

#### **Impact on Performance (Relationship of Increase to Strategic Goals)**

The new construction funding request is in direct support of the DOJ Strategic Plan, Goal 3, Ensure the Fair and Efficient Administration of Justice. Higher security facilities will continue to use disciplinary/segregation housing and bunking in program areas and open areas just to manage the general population, making it more difficult to secure the institutions in case of emergencies, and raising threat levels for staff, communities, and inmates.

**Renovate Administrative USP  
Thomson, IL**

**Funding**  
(Dollars in Thousands)

Base Funding

| FY 2012 Enacted |            |                | FY 2013<br>Continuing Resolution |            |                | FY 2014<br>Current Services |            |                |
|-----------------|------------|----------------|----------------------------------|------------|----------------|-----------------------------|------------|----------------|
| <u>Pos</u>      | <u>FTE</u> | <u>Dollars</u> | <u>Pos</u>                       | <u>FTE</u> | <u>Dollars</u> | <u>Pos</u>                  | <u>FTE</u> | <u>Dollars</u> |
| 0               | 0          | \$0            | 0                                | 0          | \$0            | 0                           | 0          | \$0            |

Personnel Increase Cost Summary

| <u>Type of Position</u> | <u>Modular Cost per Position</u> | <u>Number of Positions Requested</u> | <u>FY 2014 Request</u> | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (Change from 2015)</u> |
|-------------------------|----------------------------------|--------------------------------------|------------------------|---|---|
| Total                   | \$0/yr.                          | 0                                    | \$0                    | \$0   | \$0   |

Non-Personnel Increase Cost Summary

| <u>Item</u>   | <u>Unit</u> | <u>Quantity</u> | <u>FY 2014 Request</u> | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (change from 2015)</u> |
|---------------|-------------|-----------------|------------------------|---|---|
| Project Costs | 1           | 1               | \$15,000               | (\$15,000)  | \$0   |

Total Request for this Item

|                                     | <u>Pos.</u> | <u>FTE</u> | <u>Personnel</u> | <u>Non-Personnel</u> | <u>Total</u>    | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (change from 2015)</u> |
|-------------------------------------|-------------|------------|------------------|----------------------|-----------------|---|---|
| Current Services                    | 0           | 0          | 0                | 0                    | 0               | 0   | 0   |
| Renovate Administrative USP Thomson | 0           | 2          | 0                | 15,000               | 15,000          | (15,000)  | 0   |
| <b>Grand Total</b>                  | <b>0</b>    | <b>2</b>   | <b>\$0</b>       | <b>\$15,000</b>      | <b>\$15,000</b> | <b>(\$15,000)</b>                                   | <b>\$0</b>  |

## VI. Program Offsets by Item

**Item Name:** **Rescission of Prior Years' Unobligated New Construction Balances**

Budget Decision Unit(s): New Construction  
 Strategic Goal(s) and Objective(s): Goal 3; Objective 3.3  
 Organizational Program: New Construction

Component Ranking of Item: 1 of 1

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars (\$30,000,000)

### Description of Item

**Note: The FY 2013 Continuing Resolution assumes a \$45 million rescission in unobligated balances. The CR would reduce the Administrative U.S. Penitentiary Thomson, IL facility project by the rescission amount, leaving \$19.7 million in available funding.**

The FY 2014 budget proposes to rescind \$30 million in prior years' new construction unobligated balances. This proposal rescinds balance funding of \$19.7 million from the Administrative U.S. Penitentiary Thomson, IL facility and reduces the balances of four partially funded projects (as shown below), leaving \$500,000 or less in funding available for each remaining project to support long-range capacity planning.

### Summary Justification

For FY 2014, the Administration proposes a rescission of \$30,000,000 in prior years' unobligated balances.

### Program Reductions by Project

| <b>Project Name</b>                                       | <b>Rescission of Project Funds Dollars (\$000)</b> | <b>Project Balance Dollars (\$000)</b> |
|---|--|--|
| Administrative USP Thomson, IL with Camp (2,100 beds)     | (\$19,724)   | \$0                                    |
| FCI Midwestern/Leavenworth, KS with Camp (1,408 beds)     | (5,476)  | 500                                    |
| USP Letcher County, KY with Camp (1,216 beds)             | (3,825)  | 500                                    |
| USP South Central/Forrest City, AR with Camp (1,216 beds) | (848)  | 500                                    |
| Administrative USP El Reno, OK with Camp (1,856 beds)     | (127)  | 444                                    |
| <b>Total Rescission/Balance Amount</b>                    | <b>(\$30,000)</b>                                  | <b>\$1,944</b>                         |

Impact on Performance (Relationship of Decrease to Strategic Goals and Priority Goals)

The proposed rescission reduces funds supporting DOJ Strategic Goal 3, Ensure the Fair and Efficient Administration of Justice. These projects are incorporated in the Bureau of Prison's Capacity Plan and are an integral part of adding beds to help manage projected inmate population growth and current overcrowding. The projects being proposed for rescission would provide critically needed bed space for the increasing federal inmate population. Without the capacity from these projects, the population will continue to increase but no new bed space will be added which will crowd inmates even more and increase the inmate-to-staff ratio, put more demands on staff, and make it more difficult for staff to safely manage and supervise inmates.

**Rescission of Prior Years'  
Unobligated Balances**

**Funding**  
(Dollars in Thousands)

Base Funding

| FY 2012 Enacted |            |                | FY 2013<br>Continuing Resolution |            |                | FY 2014<br>Current Services |            |                |
|-----------------|------------|----------------|----------------------------------|------------|----------------|-----------------------------|------------|----------------|
| <u>Pos</u>      | <u>FTE</u> | <u>Dollars</u> | <u>Pos</u>                       | <u>FTE</u> | <u>Dollars</u> | <u>Pos</u>                  | <u>FTE</u> | <u>Dollars</u> |
| 0               | 0          | \$0            | 0                                | 0          | \$0            | 0                           | 0          | \$30,000       |

Personnel Increase Cost Summary

| <u>Type of Position</u> | <u>Modular Cost per Position</u> | <u>Number of Positions Requested</u> | <u>FY 2014 Request</u> | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (Change from 2015)</u> |
|-------------------------|----------------------------------|--------------------------------------|------------------------|---|---|
| Total                   | \$0/yr.                          | 0                                    | \$0                    | \$0   | \$0   |

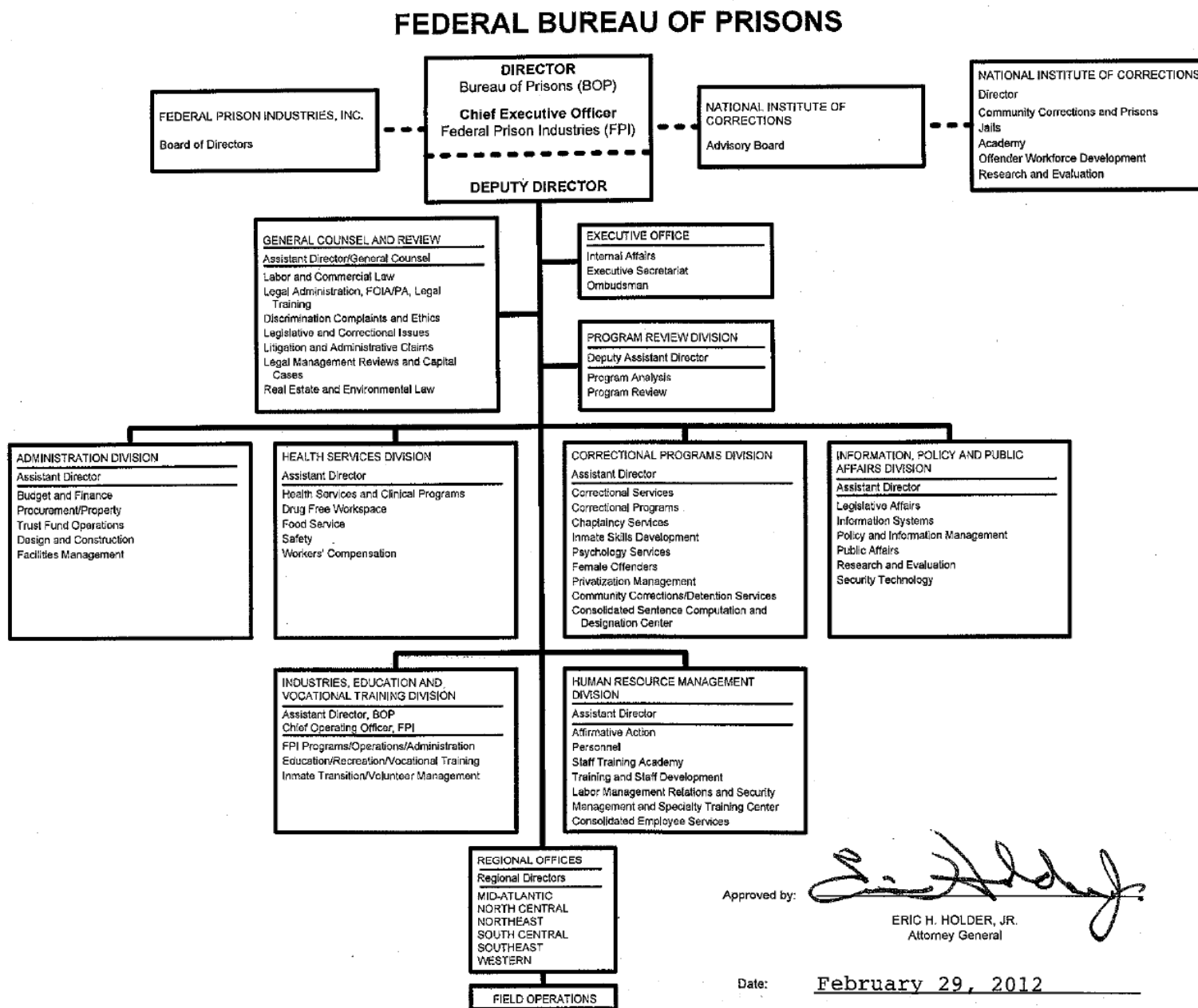
Non-Personnel Increase Cost Summary

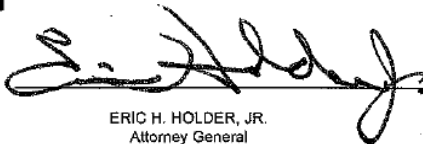
| <u>Item</u>                                     | <u>Unit</u> | <u>Quantity</u> | <u>FY 2014 Request</u> | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (change from 2015)</u> |
|---|-------------|-----------------|------------------------|---|---|
| Rescission of Prior Years' Unobligated Balances | n/a         | n/a             | (\$30,000)             | \$0   | \$0   |

Total Request for this Item

|                                    | <u>Pos.</u> | <u>FTE</u> | <u>Personnel</u> | <u>Non-Personnel</u> | <u>Total</u>      | <u>FY 2015 Net Annualization (change from 2014)</u> | <u>FY 2016 Net Annualization (change from 2015)</u> |
|------------------------------------|-------------|------------|------------------|----------------------|-------------------|---|---|
| Rescission of Unobligated Balances | 0           | 0          | 0                | (30,000)             | (30,000)          | 0   | 0   |
| Decreases                          | <u>0</u>    | <u>0</u>   | <u>0</u>         | <u>0</u>             | <u>0</u>          | <u>0</u>  | <u>0</u>  |
| <b>Grand Total</b>                 | <b>0</b>    | <b>0</b>   | <b>\$0</b>       | <b>(\$30,000)</b>    | <b>(\$30,000)</b> | <b>\$0</b>  | <b>\$0</b>  |

A: Organization Chart



Approved by:   
ERIC H. HOLDER, JR.  
Attorney General

Date: February 29, 2012



B. Summary of Requirements

Summary of Requirements

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

|  | FY 2014 Request |              |                |
|--|-----------------|--------------|----------------|
|  | Direct Pos.     | Estimate FTE | Amount         |
| <b>2012 Enacted</b>  | <b>275</b>      | <b>256</b>   | <b>90,000</b>  |
| 2012 Balance Rescission  |                 |              | -45,000        |
| <b>Total 2012 Enacted (with Balance Rescission)</b>                                | <b>275</b>      | <b>256</b>   | <b>45,000</b>  |
| <b>2013 Continuing Resolution</b>  | <b>275</b>      | <b>124</b>   | <b>90,000</b>  |
| Balance Rescission   |                 |              | -45,000        |
| 2013 CR 0.612% Increase  | 0               | 0            | 551            |
| 2013 Supplemental Appropriation - Sandy Hurricane Relief                           | 0               | 0            | 10,000         |
| <b>Total 2013 Continuing Resolution (with Balance Rescission and Supplemental)</b> | <b>275</b>      | <b>124</b>   | <b>55,551</b>  |
| <b>Technical Adjustments</b>   |                 |              |                |
| Restoration of Rescission  |                 |              | 45,000         |
| Supplemental Adjustment - Sandy Hurricane Relief                                   | 0               | 0            | -10,000        |
| Adjustment - 2013 CR 0.612%  | 0               | 0            | -551           |
| <b>Total Technical Adjustments</b>   | <b>0</b>        | <b>0</b>     | <b>34,449</b>  |
| <b>Base Adjustments</b>  |                 |              |                |
| Transfers  | 0               | 0            | 0              |
| Pay and Benefits   | 0               | 0            | 244            |
| Personnel Related Decreases:   |                 |              |                |
| Positions Associated with Construction Projects                                    | -36             | 0            | 0              |
| <b>Total Base Adjustments</b>  | <b>-36</b>      | <b>0</b>     | <b>244</b>     |
| <b>Total Technical and Base Adjustments</b>  | <b>-36</b>      | <b>0</b>     | <b>34,693</b>  |
| <b>2014 Current Services</b>   | <b>239</b>      | <b>124</b>   | <b>90,244</b>  |
| <b>Program Changes</b>   |                 |              |                |
| Increases:   |                 |              |                |
| Renovation of Administrative US Penitentiary Thomson, IL (2,100 beds)              | 0               | 2            | 15,000         |
| Subtotal, Increases  | 0               | 2            | 15,000         |
| Offsets  | 0               | 0            | 0              |
| Subtotal, Offsets  | 0               | 0            | 0              |
| <b>Total Program Changes</b>   | <b>0</b>        | <b>2</b>     | <b>15,000</b>  |
| <b>2014 Total Request</b>  | <b>239</b>      | <b>126</b>   | <b>105,244</b> |
| 2014 Balance Rescission (Prior Years' New Construction Project Funds)              |                 |              | -30,000        |
| <b>2014 Total Request (with Balance Rescission)</b>                                | <b>239</b>      | <b>126</b>   | <b>75,244</b>  |
| 2012 - 2014 Total Change   | -36             | -130         | 30,244         |

**B. Summary of Requirements**

**Summary of Requirements**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Program Activity             | 2012 Appropriation Enacted |            |               | 2013 Continuing Resolution and Supplementals* |            |                | 2014 Technical and Base Adjustments |          |                | 2014 Current Services |            |               |
|------------------------------|----------------------------|------------|---------------|---|------------|----------------|-------------------------------------|----------|----------------|-----------------------|------------|---------------|
|                              | Direct Pos.                | Actual FTE | Amount        | Direct Pos.                                   | Est. FTE   | Amount         | Direct Pos.                         | Est. FTE | Amount         | Direct Pos.           | Est. FTE   | Amount        |
| New Construction             | 134                        | 115        | 23,035        | 134   | 60         | 23,173         | -36                                 | 0        | -77            | 98                    | 60         | 23,096        |
| Modernization and Repair     | 141                        | 141        | 66,965        | 141   | 64         | 77,378         | 0                                   | 0        | -10,230        | 141                   | 64         | 67,148        |
| <b>Total Direct</b>          | <b>275</b>                 | <b>256</b> | <b>90,000</b> | <b>275</b>                                    | <b>124</b> | <b>100,551</b> | <b>-36</b>                          | <b>0</b> | <b>-10,307</b> | <b>239</b>            | <b>124</b> | <b>90,244</b> |
| Balance Rescission           |                            |            | -45,000       |   |            | -45,000        |                                     |          | 45,000         |                       |            | 0             |
| Total Direct with Rescission |                            |            | 45,000        |   |            | 55,551         |                                     |          | 34,693         |                       |            | 90,244        |
| Reimbursable FTE             |                            | 0          |               |   | 0          |                |                                     | 0        |                |                       | 0          |               |
| Total Direct and Reimb. FTE  |                            | 256        |               |   | 124        |                |                                     | 0        |                |                       | 124        |               |
| Other FTE:                   |                            |            |               |   |            |                |                                     |          |                |                       |            |               |
| LEAP                         |                            | 0          |               |   | 0          |                |                                     | 0        |                |                       | 0          |               |
| Overtime                     |                            | 0          |               |   | 0          |                |                                     | 0        |                |                       | 0          |               |
| Grand Total, FTE             |                            | 256        |               |   | 124        |                |                                     | 0        |                |                       | 124        |               |

| Program Activity             | 2014 Increases |          |               | 2014 Offsets |          |          | 2014 Request |            |                |
|------------------------------|----------------|----------|---------------|--------------|----------|----------|--------------|------------|----------------|
|                              | Direct Pos.    | Est. FTE | Amount        | Direct Pos.  | Est. FTE | Amount   | Direct Pos.  | Est. FTE   | Amount         |
| New Construction             | 0              | 0        | 0             | 0            | 0        | 0        | 98           | 60         | 23,096         |
| Modernization and Repair     | 0              | 2        | 15,000        | 0            | 0        | 0        | 141          | 66         | 82,148         |
| <b>Total Direct</b>          | <b>0</b>       | <b>2</b> | <b>15,000</b> | <b>0</b>     | <b>0</b> | <b>0</b> | <b>239</b>   | <b>126</b> | <b>105,244</b> |
| Balance Rescission           |                |          | 0             |              |          | -30,000  |              |            | -30,000        |
| Total Direct with Rescission |                |          | 15,000        |              |          | -30,000  |              |            | 75,244         |
| Reimbursable FTE             |                | 0        |               |              | 0        |          |              | 0          |                |
| Total Direct and Reimb. FTE  |                | 2        |               |              | 0        |          |              | 126        |                |
| Other FTE:                   |                |          |               |              |          |          |              |            |                |
| LEAP                         |                | 0        |               |              | 0        |          |              | 0          |                |
| Overtime                     |                | 0        |               |              | 0        |          |              | 0          |                |
| Grand Total, FTE             |                | 2        |               |              | 0        |          |              | 126        |                |

\*The 2013 Continuing Resolution includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101(c)); and the funding provided by the Disaster Relief Appropriation P.L. 113-2, for Hurricane Sandy Relief.

Note: The FY 2013 CR and 2014 Technical and Base Adjustments include \$10 million in the Modernization and Repair decision unit as Supplemental Appropriation for Hurricane Sandy Relief.

**B. Summary of Requirements**

C. Program Changes by Decision Unit

**FY 2014 Program Increases/Offsets by Decision Unit**

Federal Prison System

Buildings and Facilities

(Dollars in Thousands)

| Program Increases                            | Location of Description by Program Activity | New Construction |           |          |          | Modernization and Repair |            |          |               | Total Increases |            |          |               |
|--|---|------------------|-----------|----------|----------|--------------------------|------------|----------|---------------|-----------------|------------|----------|---------------|
|  |   | Direct Pos.      | Corr. Off | Est. FTE | Amount   | Direct Pos.              | Corr. Off. | Est. FTE | Amount        | Direct Pos.     | Corr. Off. | Est. FTE | Amount        |
| Renovation of Administrative USP Thomson, IL | Modernization and Repair                    | 0                | 0         | 0        | 0        | 0                        | 0          | 2        | 15,000        | 0               | 0          | 2        | 15,000        |
| <b>Total Program Increases</b>               |   | <b>0</b>         | <b>0</b>  | <b>0</b> | <b>0</b> | <b>0</b>                 | <b>0</b>   | <b>2</b> | <b>15,000</b> | <b>0</b>        | <b>0</b>   | <b>2</b> | <b>15,000</b> |

| Program Offsets              | Location of Description by Program Activity | New Construction |           |          |          | Modernization and Repair |            |          |          | Total Offsets |            |          |          |
|------------------------------|---|------------------|-----------|----------|----------|--------------------------|------------|----------|----------|---------------|------------|----------|----------|
|                              |   | Direct Pos.      | Corr. Off | Est. FTE | Amount   | Direct Pos.              | Corr. Off. | Est. FTE | Amount   | Direct Pos.   | Corr. Off. | Est. FTE | Amount   |
| N/A                          |   | 0                | 0         | 0        | 0        | 0                        | 0          | 0        | 0        | 0             | 0          | 0        | 0        |
| <b>Total Program Offsets</b> |   | <b>0</b>         | <b>0</b>  | <b>0</b> | <b>0</b> | <b>0</b>                 | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b>      | <b>0</b>   | <b>0</b> | <b>0</b> |

**NOTE:** The FY 2014 budget proposes a rescission to reduce funding from the "Administrative USP Thomson, IL" project as well as four other partially funded projects as shown on the Status of Construction (Exhibit N), leaving \$500,000 or less in available funding for each of the four projects.

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Strategic Goal and Strategic Objective   | 2012 Appropriation Enacted |               | 2013 Continuing Resolution * |               | 2014 Current Services |               | 2014 Increases   |               | 2014 Offsets     |               | 2014 Total Request |                |
|--|----------------------------|---------------|------------------------------|---------------|-----------------------|---------------|------------------|---------------|------------------|---------------|--------------------|----------------|
|  | Direct/Reimb FTE           | Direct Amount | Direct/Reimb FTE             | Direct Amount | Direct/Reimb FTE      | Direct Amount | Direct/Reimb FTE | Direct Amount | Direct/Reimb FTE | Direct Amount | Direct/Reimb FTE   | Direct Amount  |
| <b>Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law</b>  |                            |               |                              |               |                       |               |                  |               |                  |               |                    |                |
| 1.1 Prevent, disrupt, and defeat terrorist operations before they occur.   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 1.2 Prosecute those involved in terrorist acts.  | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 1.3 Combat espionage against the United States.  | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| <b>Subtotal, Goal 1</b>  | <b>0</b>                   | <b>0</b>      | <b>0</b>                     | <b>0</b>      | <b>0</b>              | <b>0</b>      | <b>0</b>         | <b>0</b>      | <b>0</b>         | <b>0</b>      | <b>0</b>           | <b>0</b>       |
| <b>Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law</b>  |                            |               |                              |               |                       |               |                  |               |                  |               |                    |                |
| 2.1 Combat the threat, incidence, and prevalence of violent crime.   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 2.2 Prevent and intervene in crimes against vulnerable of violent crime.   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 2.3 Combat the threat, trafficking, and use of illegal drugs and the   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 2.4 Combat corruption, economic crimes, and international organized crime.   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 2.5 Promote and protect Americans' civil rights.   | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 2.6 Protect the federal fisc and defend the interests of the United States.  | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| <b>Subtotal, Goal 2</b>  | <b>0</b>                   | <b>0</b>      | <b>0</b>                     | <b>0</b>      | <b>0</b>              | <b>0</b>      | <b>0</b>         | <b>0</b>      | <b>0</b>         | <b>0</b>      | <b>0</b>           | <b>0</b>       |
| <b>Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.</b>                    |                            |               |                              |               |                       |               |                  |               |                  |               |                    |                |
| 3.1 Promote and Strengthen relationship and strategies for the administration of justice with state, local, tribal and international law enforcement.  | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 3.2 Protect judges, witnesses, and other participants in federal proceedings; apprehend fugitives; and ensure the appearance of criminal defendants for judicial proceedings or confinement. | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| 3.3 Provide for the safe, secure, humane, and cost-effective confinement of detainees awaiting trial and/or sentencing, and those of the custody of the Federal Prison System.               | 256                        | 90,000        | 124                          | 90,551        | 124                   | 90,244        | 2                | 15,000        | 0                | 0             | 126                | 105,244        |
| 3.4 Adjudicate all immigration cases promptly and impartially in accordance with due process.  | 0                          | 0             | 0                            | 0             | 0                     | 0             | 0                | 0             | 0                | 0             | 0                  | 0              |
| <b>Subtotal, Goal 3</b>  | <b>256</b>                 | <b>90,000</b> | <b>124</b>                   | <b>90,551</b> | <b>124</b>            | <b>90,244</b> | <b>2</b>         | <b>15,000</b> | <b>0</b>         | <b>0</b>      | <b>126</b>         | <b>105,244</b> |
| <b>TOTAL</b>   | <b>256</b>                 | <b>90,000</b> | <b>124</b>                   | <b>90,551</b> | <b>124</b>            | <b>90,244</b> | <b>2</b>         | <b>15,000</b> | <b>0</b>         | <b>0</b>      | <b>126</b>         | <b>105,244</b> |

**Note:** Excludes Balance Rescission and/or Supplemental Appropriations.

\*The 2013 Continuing Resolution includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101 (c)).

**E. Justification for Technical and Base Adjustments**

**Justifications for Technical and Base Adjustments**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

|  | Direct Pos. | Estimate FTE | Amount        |
|--|-------------|--------------|---------------|
| <b>Technical Adjustments</b>   |             |              |               |
| <u>Restoration of Rescission:</u><br>Restoration of Rescission of new construction project's prior years' unobligated balances.  | 0           | 0            | 45,000        |
| <u>Supplemental Adjustment:</u><br>Non-recurrence of Modernization and Repair funds which was provided by the Disaster Relief Appropriations Act, 2013 for the repair of prisons that were damaged by Hurricane Sandy.   | 0           | 0            | -10,000       |
| <u>Adjustment - 2013 CR 0.612%:</u><br>PL 112-175 section 101 © provided 0.612% across the board increase above the current rate for the 2013 CR funding level. The adjustment reverses this increase.   | 0           | 0            | -551          |
| <b>Subtotal, Technical Adjustments</b>   | <b>0</b>    | <b>0</b>     | <b>34,449</b> |
| <b>Pay and Benefits</b>  |             |              |               |
| <u>2014 Pay Raise:</u><br>This request provides for a proposed 1 percent pay raise to be effective in January of 2014. The amount requested, \$ 119,000.00, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$50,000 for pay and \$69,000 for benefits.)  | 0           | 0            | 119           |
| <u>Annualization of 2013 Pay Raise:</u><br>This pay annualization represents first quarter amounts (October through December) of the 2013 pay increase of 0.5% included in the 2013 President's Budget. The amount requested \$22,000.00, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ 9,240 for pay and \$12,760 for benefits).  | 0           | 0            | 22            |
| <u>Health Insurance:</u><br>Effective January 2014, the component's contribution to Federal employees' health insurance increases by 5.1 percent. Applied against the 2013 estimate of \$1,000,000, the additional amount required is \$51,000.  |             |              | 51            |
| <u>Retirement:</u><br>Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$52,000 is necessary to meet our increased retirement obligations as a result of this conversion. |             |              | 52            |
| <b>Subtotal, Pay and Benefits</b>  | <b>0</b>    | <b>0</b>     | <b>244</b>    |
| <b>Personnel Related Decreases</b>   |             |              |               |
| <u>Positions Associated with Construction Projects:</u><br>Positions Associated with Construction Projects (FCI Hazelton-9; FCI Mendota-9; USP Yazoo City-9; and Secure Female FCI Aliceville-9)   | -36         | 0            | 0             |

**E. Justification for Technical and Base Adjustments**

|  |            |          |                 |
|--|------------|----------|-----------------|
| <b>TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS</b> | <b>-36</b> | <b>0</b> | <b>\$34,693</b> |
|--|------------|----------|-----------------|

F. Crosswalk of 2012 Availability

**Crosswalk of 2012 Availability**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Program Activity         | 2012 Appropriation Enacted w/o Balance Rescission |            |               | Balance Rescission |            |                | Reprogramming/Transfers |            |              | Carryover      | Recoveries/Refunds | 2012 Actual |            |                |
|--------------------------|---|------------|---------------|--------------------|------------|----------------|-------------------------|------------|--------------|----------------|--------------------|-------------|------------|----------------|
|                          | Direct Pos.                                       | Actual FTE | Amount        | Direct Pos.        | Actual FTE | Amount         | Direct Pos.             | Actual FTE | Amount       | Amount         | Amount             | Direct Pos. | Actual FTE | Amount         |
| New Construction         | 134   | 115        | 23,035        | 0                  | 0          | -45,000        | 0                       | 0          | 9,000        | 175,799        | 0                  | 134         | 115        | 162,834        |
| Modernization and Repair | 141   | 141        | 66,965        | 0                  | 0          | 0              | 0                       | 0          | 0            | 21,646         | 0                  | 141         | 141        | 88,611         |
| <b>Total Direct</b>      | <b>275</b>  | <b>256</b> | <b>90,000</b> | <b>0</b>           | <b>0</b>   | <b>-45,000</b> | <b>0</b>                | <b>0</b>   | <b>9,000</b> | <b>197,445</b> | <b>0</b>           | <b>275</b>  | <b>256</b> | <b>251,445</b> |

Rescissions - The Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55) rescinded \$45 million in unobligated balances from the Buildings and Facilities account.

Transfers - \$9,000,000 was transferred from the BOP's Salaries and Expenses appropriation to provide resources for the acquisition of the Administrative USP Thomson, IL facility.

Carryover - Funds were carried over from FY 2011 from the Buildings and Facilities account. The Bureau of Prisons brought forward \$197,445,000 from funds provided in prior years for the Buildings and Facilities account.



G. Crosswalk of 2013 Availability

**Crosswalk of 2013 Availability**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Program Activity             | FY 2013 Continuing Resolution |            |               | Supplemental Appropriation<br>Amount | Reprogramming/Transfers |            |                | Carryover<br>Amount | Recoveries/<br>Refunds<br>Amount | 2013 Availability |                |        |
|------------------------------|-------------------------------|------------|---------------|--------------------------------------|-------------------------|------------|----------------|---------------------|----------------------------------|-------------------|----------------|--------|
|                              | Direct Pos.                   | Estim. FTE | Amount        |                                      | Direct Pos.             | Estim. FTE | Amount         |                     |                                  | Direct Pos.       | Estim. FTE     | Amount |
| New Construction             | 134                           | 60         | 23,173        | 0                                    | 0                       | 0          | 112,221        | 0                   | 134                              | 60                | 135,394        |        |
| Modernization and Repair     | 141                           | 64         | 67,378        | 10,000                               | 0                       | 0          | 11,164         | 0                   | 141                              | 64                | 88,542         |        |
| <b>Total Direct</b>          | <b>275</b>                    | <b>124</b> | <b>90,551</b> | <b>10,000</b>                        | <b>0</b>                | <b>0</b>   | <b>123,385</b> | <b>0</b>            | <b>275</b>                       | <b>124</b>        | <b>223,936</b> |        |
| Balance Rescission           |                               |            | -45,000       |                                      |                         |            |                |                     |                                  |                   | -45,000        |        |
| Total Direct with Rescission |                               |            | 45,551        |                                      |                         |            |                |                     |                                  |                   | 178,936        |        |

Carryover - Funds were carried over from FY 2012 from the Buildings and Facilities account. The Bureau of Prisons brought forward \$123,385,000 from funds provided in prior years for the Buildings and Facilities account.

Rescissions - \$45 million in unobligated balances is proposed for rescission from the Buildings and Facilities account.

Supplemental Appropriation - The Disaster Relief Appropriations Act, 2013 included \$10,000,000 for the Buildings and Facilities account for the repair of prisons that were damaged by Hurricane Sandy.

I. Detail of Permanent Positions by Category

**Detail of Permanent Positions by Category**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Category                                   | 2012 Appropriation |             | 2013 Continuing |             | 2014 Request |                   |                 |                   |                   |
|--|--------------------|-------------|-----------------|-------------|--------------|-------------------|-----------------|-------------------|-------------------|
|  | Direct Pos.        | Reimb. Pos. | Direct Pos.     | Reimb. Pos. | ATBs         | Program Increases | Program Offsets | Total Direct Pos. | Total Reimb. Pos. |
| Clerical and Office Services (300-399)     | 26                 | 0           | 26              | 0           | -2           | 0                 | 0               | 24                | 0                 |
| Accounting and Budget (500-599)            | 14                 | 0           | 14              | 0           | 0            | 0                 | 0               | 14                | 0                 |
| Engineering and Architecture Grp (800-899) | 138                |             | 138             |             | -24          | 0                 | 0               | 114               |                   |
| Business & Industry (1100-1199)            | 57                 | 0           | 57              | 0           | -6           | 0                 | 0               | 51                | 0                 |
| Ungraded (mechanical and construction)     | 40                 | 0           | 40              | 0           | -4           | 0                 | 0               | 36                | 0                 |
| <b>Total</b>                               | <b>275</b>         | <b>0</b>    | <b>275</b>      | <b>0</b>    | <b>-36</b>   | <b>0</b>          | <b>0</b>        | <b>239</b>        | <b>0</b>          |
| Headquarters (Washington, D.C.)            | 53                 | 0           | 53              | 0           | -16          | 0                 | 0               | 37                | 0                 |
| U.S. Field                                 | 222                | 0           | 222             | 0           | -20          | 0                 | 0               | 202               | 0                 |
| Foreign Field                              | 0                  | 0           | 0               | 0           | 0            | 0                 | 0               | 0                 | 0                 |
| <b>Total</b>                               | <b>275</b>         | <b>0</b>    | <b>275</b>      | <b>0</b>    | <b>-36</b>   | <b>0</b>          | <b>0</b>        | <b>239</b>        | <b>0</b>          |

**Financial Analysis of Program Changes**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Grades  | New Construction |          | Modernization and Repair                 |               | Total Program Changes |               |
|---|------------------|----------|--|---------------|-----------------------|---------------|
|   |                  |          | Renovate Administrative USP Thomson , IL |               |                       |               |
|   | Direct Pos.      | Amount   | Direct Pos.                              | Amount        | Direct Pos.           | Amount        |
| SES   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-15   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-14   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-13   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-12   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-11   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-10   | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-9  | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-8  | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-7  | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-6  | 0                | 0        | 0  | 0             | 0                     | 0             |
| GS-5  | 0                | 0        | 0  | 0             | 0                     | 0             |
| Total Positions and Annual Amount                         | 0                | 0        | 0  | 0             |                       | 0             |
| Lapse (-)   | 0                | 0        | 0  | 0             |                       | 0             |
| 11.5 Other Personnel Compensation                         | 0                | 0        | 2  | 230           | 2                     | 230           |
| Total FTEs and Personnel Compensation                     | 0                | 0        | 2  | 230           | 2                     | 230           |
| 13.0 Benefits for former personnel                        |                  | 0        |  | 0             | 0                     | 0             |
| 21.0 Travel and Transportation of Persons                 |                  | 0        |  | 50            | 0                     | 50            |
| 22.0 Transportation of Things                             |                  | 0        |  | 10            | 0                     | 10            |
| 23.1 Rental Payments to GSA                               |                  | 0        |  | 10            | 0                     | 10            |
| 23.3 Communications, Utilities, and Miscellaneous Charges |                  | 0        |  | 2,200         | 0                     | 2,200         |
| 24.0 Printing and Reproduction                            |                  | 0        |  | 8             | 0                     | 8             |
| 25.1 Advisory and Assistance Services                     |                  | 0        |  | 0             | 0                     | 0             |
| 25.2 Other Services from Non-Federal Sources              |                  | 0        |  | 11,992        | 0                     | 11,992        |
| 25.3 Other Goods and Services from Federal Sources        |                  | 0        |  | 0             | 0                     | 0             |
| 25.5 Research and Development Contracts                   |                  | 0        |  | 0             | 0                     | 0             |
| 25.7 Operation and Maintenance of Equipment               |                  | 0        |  | 0             | 0                     | 0             |
| 26.0 Supplies and Materials                               |                  | 0        |  | 295           | 0                     | 295           |
| 31.0 Equipment  |                  | 0        |  | 205           | 0                     | 205           |
| <b>Total Program Change Requests</b>                      | <b>0</b>         | <b>0</b> | <b>2</b>                                 | <b>15,000</b> | <b>2</b>              | <b>15,000</b> |

NOTE: The FY 2014 budget proposes a rescission of \$30 million from prior years' unobligated new construction balances. The rescission reduces funding from the "Administrative USP Thomson, IL" project. Further, the rescission reduces four partially funded projects as shown on the Status of Construction (Exhibit N), leaving \$500,000 or less in available funding for each.

## K. Summary of Requirements by Grade

**Summary of Requirements by Grade**  
Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

| Grades and Salary Ranges             |    |         |   | 2012 Enacted |               | 2013 Continuing Resolution |               | 2014 Request |               | Increase/Decrease |               |        |
|--------------------------------------|----|---------|---|--------------|---------------|----------------------------|---------------|--------------|---------------|-------------------|---------------|--------|
|                                      |    |         |   | Direct Pos.  | Amount        | Direct Pos.                | Amount        | Direct Pos.  | Amount        | Direct Pos.       | Amount        |        |
| GS-15                                | \$ | 123,758 | - | 155,500      | 2             | 294                        | 2             | 294          | 2             | 299               | 0             | 5      |
| GS-14                                | \$ | 105,211 | - | 136,771      | 17            | 2,249                      | 17            | 2,249        | 12            | 1,604             | -5            | -645   |
| GS-13                                | \$ | 89,033  | - | 115,742      | 82            | 8,707                      | 82            | 8,707        | 71            | 7,604             | -11           | -1,103 |
| GS-12                                | \$ | 74,872  | - | 97,333       | 104           | 9,081                      | 104           | 9,081        | 90            | 7,907             | -14           | -1,174 |
| GS-11                                | \$ | 62,467  | - | 81,204       | 55            | 3,931                      | 55            | 3,931        | 50            | 3,677             | -5            | -254   |
| GS-8                                 | \$ | 49,861  | - | 63,880       | 5             | 282                        | 5             | 282          | 5             | 287               | 0             | 5      |
| GS-7                                 | \$ | 47,838  | - | 60,505       | 4             | 197                        | 4             | 197          | 4             | 199               | 0             | 2      |
| GS-6                                 | \$ | 44,312  | - | 55,704       | 5             | 223                        | 5             | 223          | 4             | 227               | -1            | 4      |
| GS-5                                 | \$ | 42,022  | - | 52,241       | 1             | 36                         | 1             | 36           | 1             | 37                | 0             | 1      |
| <b>Total, Appropriated Positions</b> |    |         |   | <b>275</b>   | <b>25,000</b> | <b>275</b>                 | <b>25,000</b> | <b>239</b>   | <b>21,841</b> | <b>-36</b>        | <b>-3,159</b> |        |
| <b>Average GS Salary</b>             |    |         |   |              | <b>90,910</b> |                            | <b>90,910</b> |              | <b>91,380</b> |                   |               |        |
| <b>Average GS Grade</b>              |    |         |   |              | <b>12.0</b>   |                            | <b>12.0</b>   |              | <b>12.0</b>   |                   |               |        |

L. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Federal Prison System

Buildings and Facilities

(Dollars in Thousands)

| Object Class   | 2012 Actual |                | 2013 Availability * |                | 2014 Request |                | Increase/Decrease |               |
|--|-------------|----------------|---------------------|----------------|--------------|----------------|-------------------|---------------|
|  | Direct FTE  | Amount         | Direct FTE          | Amount         | Direct FTE   | Amount         | Direct FTE        | Amount        |
| 11.1 Full-Time Permanent   | 256         | 12,708         | 0                   | 0              | 0            | 0              | 0                 | 0             |
| 11.3 Other than Full-Time Permanent  | 0           | 93             | 0                   | 0              | 0            | 0              | 0                 | 0             |
| 11.5 Other Personnel Compensation  | 0           | 158            | 124                 | 13,805         | 126          | 12,210         | 2                 | -1,595        |
| <i>Overtime</i>  | 0           | 0              | 0                   | 0              | 0            | 0              | 0                 | 0             |
| <i>Other Compensation</i>  | 0           | 158            | 0                   | 0              | 0            | 0              | 0                 | 0             |
| 11.8 Special Personal Services Payments  | 0           | 0              | 0                   | 0              | 0            | 0              | 0                 | 0             |
| <b>Total</b>   | <b>256</b>  | <b>12,959</b>  | <b>124</b>          | <b>13,805</b>  | <b>126</b>   | <b>12,210</b>  | <b>2</b>          | <b>-1,595</b> |
| <b>Other Object Classes</b>  |             |                |                     |                |              |                |                   |               |
| 12.0 Personnel Benefits  |             | 4,949          |                     | 4,734          |              | 4,759          |                   | 25            |
| 21.0 Travel and Transportation of Persons  |             | 641            |                     | 563            |              | 670            |                   | 107           |
| 22.0 Transportation of Things  |             | 10             |                     | 27             |              | 35             |                   | 8             |
| 23.2 Rental Payments to Others   |             | 9,082          |                     | 9,000          |              | 9,000          |                   | 0             |
| 23.3 Communications, Utilities, and Miscellaneous Charges                        |             | 3,752          |                     | 1,470          |              | 3,065          |                   | 1,595         |
| 24.0 Printing and Reproduction   |             | 0              |                     | 0              |              | 0              |                   | 0             |
| 25.2 Other Services from Non-Federal Sources                                     |             | 69,008         |                     | 60,598         |              | 56,750         |                   | -3,848        |
| 26.0 Supplies and Materials  |             | 16,097         |                     | 15,300         |              | 15,450         |                   | 150           |
| 31.0 Equipment   |             | 10,861         |                     | 8,373          |              | 6,975          |                   | -1,398        |
| 32.0 Land and Structures   |             | 701            |                     | 700            |              | 750            |                   | 50            |
| <b>Total Obligations</b>   |             | <b>128,060</b> |                     | <b>114,570</b> |              | <b>109,664</b> |                   | <b>-4,906</b> |
| Unobligated Balance, Start-of-Year   |             | -152,445       |                     | -123,385       |              | -99,366        |                   | 24,019        |
| Transfers/Reprogramming  |             | -9,000         |                     | 0              |              | 0              |                   | 0             |
| Recoveries/Refunds   |             | 0              |                     | 0              |              | 0              |                   | 0             |
| Unobligated End-of-Year, Available   |             | 123,385        |                     | 99,366         |              | 94,946         |                   | -4,420        |
| Unobligated End-of-Year, Expiring  |             | 0              |                     | 0              |              | 0              |                   | 0             |
| <b>Total Direct Requirements</b>   | <b>0</b>    | <b>90,000</b>  | <b>0</b>            | <b>90,551</b>  | <b>0</b>     | <b>105,244</b> | <b>0</b>          | <b>14,693</b> |
| Reimbursable FTE   |             |                |                     |                |              |                |                   |               |
| Full-Time Permanent  | 0           |                | 0                   |                | 0            |                | 0                 |               |
| 23.1 Rental Payments to GSA (Reimbursable)                                       |             | 0              |                     | 0              |              | 0              |                   | 0             |
| 25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable) |             | 0              |                     | 0              |              | 0              |                   | 0             |

\*The 2013 Availability includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101 (c)).

M. Summary of Change

**Summary of Change**

Federal Prison System  
Buildings and Facilities  
(Dollars in Thousands)

|  | FY 2014 Request |              |                 |
|--|-----------------|--------------|-----------------|
|  | Direct Pos.     | Estimate FTE | Amount          |
| <b>2012 Enacted</b>  | <b>275</b>      | <b>256</b>   | <b>90,000</b>   |
| 2012 Balance Rescission (if applicable)  |                 |              | -45,000         |
| <b>Total 2012 Enacted (with Balance Rescission)</b>  | <b>275</b>      | <b>256</b>   | <b>45,000</b>   |
| <b>2013 Continuing Resolution</b>  | <b>275</b>      | <b>124</b>   | <b>90,000</b>   |
| Balance Rescission   |                 |              | -45,000         |
| 2013 CR 0.612% Increase  | 0               | 0            | 551             |
| 2013 Supplemental Appropriation - Sandy Hurricane Relief   | 0               | 0            | 10,000          |
| <b>Total 2013 Continuing Resolution (with Balance Rescission and Supplemental)</b>   | <b>275</b>      | <b>124</b>   | <b>55,551</b>   |
| <b>Technical Adjustments</b>   |                 |              |                 |
| Restoration of Rescission  |                 |              | 45,000          |
| Supplemental Adjustment - Sandy Hurricane Relief   | 0               | 0            | -10,000         |
| Adjustment - 2013 CR 0.612%  | 0               | 0            | -551            |
| <b>Total Technical Adjustments</b>   | <b>0</b>        | <b>0</b>     | <b>34,449</b>   |
| <b>Base Adjustments</b>  |                 |              |                 |
| Transfers  | 0               | 0            | 0               |
| Pay and Benefits   | 0               | 0            | 244             |
| Personnel Related Decreases:   |                 |              |                 |
| Positions Associated with Construction Projects (FCI Hazelton -9; FCI Mendota -9; USP Yazoo City -9 and Secure Female FCI Aliceville -9) | -36             | 0            | 0               |
| <b>Total Base Adjustments</b>  | <b>-36</b>      | <b>0</b>     | <b>244</b>      |
| <b>Total Technical and Base Adjustments</b>  | <b>-36</b>      | <b>0</b>     | <b>34,693</b>   |
| <b>2014 Current Services</b>   | <b>239</b>      | <b>124</b>   | <b>90,244</b>   |
| <b>Program Changes</b>   |                 |              |                 |
| Increases:   |                 |              |                 |
| Renovation of Administrative US Penitentiary Thomson, IL (2,100 beds)  | 0               | 2            | 15,000          |
| Subtotal, Increases  | 0               | 2            | 15,000          |
| Offsets  | 0               | 0            | 0               |
| Subtotal, Offsets  | 0               | 0            | 0               |
| <b>Total Program Changes</b>   | <b>0</b>        | <b>2</b>     | <b>15,000</b>   |
| <b>2014 Total Request</b>  | <b>239</b>      | <b>126</b>   | <b>105,244</b>  |
| 2014 Balance Rescission (Prior Years' New Construction Project Funds)  |                 |              | -30,000         |
| <b>2014 Total Request (with Balance Rescission)</b>  | <b>239</b>      | <b>126</b>   | <b>\$75,244</b> |

NOTE: The FY 2014 budet proposes a rescission of \$30 million from prior years' unobligated new construction balances. The rescission reduces funding from the Administrative USP Thomson, IL" project. Further, the rescission reduces four partially funded projects as shown on the Status of Construction (Exhibit N), leaving \$500,000 or less in available funding for each.

**N: Status of Construction**

**Federal Prison System  
Status of Construction  
(Dollars in Thousands)**

**(The FY 2014 budget proposes a rescission of \$30 million from prior years' unobligated new construction balances. The rescission reduces funding of \$19.7 million from the "Administrative USP Thomson" project. Further, the rescission reduces four partially funded projects, leaving \$500,000 or less in available funding for each.)**

|   |                | Total Funding<br>by Fiscal Year  | Total<br>Cost<br>Estimate | Oblig.<br>to Date<br>02/28/13 | Const. Award<br>Date | FY 2014 Congressional Budget Submission   | *Activation<br>Funding<br>Date |
|---|----------------|----------------------------------|---------------------------|-------------------------------|----------------------|---|--------------------------------|
|   |                |                                  |                           |                               |                      | Status of Projects  |                                |
| <b><u>New Facilities (Rated Capacity):</u></b>    |                |                                  |                           |                               |                      |   |                                |
| FCI Hazelton, WV with Camp (1,280)                | 2001           | \$5,000                          | \$214,855                 | \$209,730                     | 9/11/2009            | The Finding of No Significant Impact (FONSI) was signed May 6, 2008. The design-build contract was awarded on 9/11/2009. Substantial completion was granted on 8/23/2012. Resolution of Punch list items continues. Construction is approximately 99.9% complete.<br><br>Construction Completion: November 2012 | 2014                           |
|   |                | (3,000)                          |                           |                               |                      |   |                                |
|   | 2004           | 3,000                            |                           |                               |                      |   |                                |
|   | 2005           | (2,500)                          |                           |                               |                      |   |                                |
|   | 2008           | 60,755                           |                           |                               |                      |   |                                |
|   | 2009           | 223,000                          |                           |                               |                      |   |                                |
|   | 2010           | (3,000)                          |                           |                               |                      |   |                                |
|   |                | (65,000)                         |                           |                               |                      |   |                                |
|   | 2011           | (800)                            |                           |                               |                      |   |                                |
|   | 2012           | (3,900)                          |                           |                               |                      |   |                                |
|   | 1,300          |                                  |                           |                               |                      |   |                                |
|   | <u>214,855</u> |                                  |                           |                               |                      |   |                                |
| USP Yazoo City, MS with Camp (1,216)              | 2006           | 3,000                            | 203,150                   | 195,422                       | 9/4/2009             | The FONSI was signed on 8/21/2009. The design-build contract was awarded on 9/4/2009. Proceeding with interior finishes and electrical systems. Construction is approximately 94% complete.<br><br>Construction Completion Estimate: July 2013  | 2014                           |
|   | 2007           | 12,500                           |                           |                               |                      |   |                                |
|   | 2008           | 60,750                           |                           |                               |                      |   |                                |
|   | 2009           | 205,000                          |                           |                               |                      |   |                                |
|   |                | (26,000)                         |                           |                               |                      |   |                                |
|   | 2010           | (40,000)                         |                           |                               |                      |   |                                |
|   |                | (2,500)                          |                           |                               |                      |   |                                |
|   | 2011           | (5,000)                          |                           |                               |                      |   |                                |
|   |                | (2,000)                          |                           |                               |                      |   |                                |
|   | 2012           | (3,900)                          |                           |                               |                      |   |                                |
|   | 1,300          |                                  |                           |                               |                      |   |                                |
|   | <u>203,150</u> |                                  |                           |                               |                      |   |                                |
| Administrative USP Thomson, IL with camp (2,100), | 2010           | 105,000                          | 190,000                   | 165,273                       | N/A                  | The facility was acquired on 10/2/2012.<br><br>The Consolidated and Further Continuing Appropriations Act, 2012 (P.L. 112-55) rescinded \$40 million from this project.   | 2014                           |
|   | 2012           | (40,000)                         |                           |                               |                      |   |                                |
|   |                | <u>165,000</u><br><u>230,000</u> |                           |                               |                      |   |                                |

**(FY 2013 CR includes a rescission of \$45 million for this project and the FY 2014 Request proposes a rescission to further reduce this project by \$19.7 million.)**

\*The "Activation Funding Date" reflects the change to "operations" funding from construction expenses. Operational expenses are cumulative and reflect past and future months of ramped up activity (staffing, equipment purchase and install, etc.) until the facility is ready to house inmates.

<sup>1</sup> The status of "Acquired Existing Institution for Higher Security FCI" project is now "Administrative USP Thomson". In addition, the FY 2013 CR includes a rescission of \$45 million for this project and the FY 2014 budget proposes another rescission in the amount of \$19.7.

**Federal Prison System  
Status of Construction  
(Dollars in Thousands)**

**(The FY 2014 budget proposes a rescission of \$30 million from prior years' unobligated new construction balances. The rescission reduces funding of \$19.7 million from the "Administrative USP Thomson" project. Further, the rescission reduces four partially funded projects, leaving \$500,000 or less in available funding for each.)**

| <u>New Facilities (Rated Capacity):</u>  | Total Funding<br>by Fiscal Year | Preliminary<br>Cost<br>Estimate** | Oblig.<br>to Date<br>02/28/13 | Const. Award<br>Date | FY 2014 Congressional Budget Submission  | *Activation<br>Funding<br>Date |
|--|---------------------------------|-----------------------------------|-------------------------------|----------------------|--|--------------------------------|
|  |                                 |                                   |                               |                      | Status of Projects   |                                |
| ***FCI Midwestern/Leavenworth, KS with Camp (1,408)                                    | 2001                            | \$5,431                           | \$329,000 **                  | \$2,732              | N/A<br>Final Preparation and publication of the Final Environmental Impact Statement is on hold due to the proposed rescission of project funds and uncertainty of the project. The Consolidated and Further Continuing Appropriation Act, 2012 rescinded \$5 million from this project. | TBD                            |
|  |                                 | (3,000)                           | to                            |                      |  |                                |
|  | 2004                            | (1,000)                           | 363,600                       |                      |  |                                |
|  | 2009                            | 12,000                            |                               |                      |  |                                |
|  | 2012                            | (5,000)                           |                               |                      |  |                                |
|  | 8,431                           |                                   |                               |                      |  |                                |
| <b>(FY 2014 Request proposes a rescission to reduce this project by \$5.4 million)</b> |                                 |                                   |                               |                      |  |                                |
| ***USP Bennettsville, SC with Camp (1,088)   | 2002                            | 5,000                             | 275,500 **                    | 0                    | N/A<br>Considering potential sites at or near Bennettsville.   | TBD                            |
|  | 2004                            | (2,000)                           | to                            |                      |  |                                |
|  | 2005                            | (2,500)                           | 304,500                       |                      |  |                                |
|  |                                 | 500                               |                               |                      |  |                                |
| ***USP Letcher County, KY with Camp (1,216)  | 2006                            | 5,000                             | 409,800 **                    | 675                  | N/A<br>Proposal for the Environmental Impact Statement (EIS) preparation were received on 9/24/2012. Award on hold due to proposed rescission and uncertainty of the project.  | TBD                            |
|  |                                 |                                   | to                            |                      |  |                                |
|  |                                 |                                   | 453,000                       |                      |  |                                |
| <b>(FY 2014 Request proposes a rescission to reduce this project by \$3.8 million)</b> |                                 |                                   |                               |                      |  |                                |
| ***USP South Central/Forrest City, AR with Camp (1,216)                                | 2001                            | 5,000                             | 331,700 **                    | 652                  | N/A<br>Environmental studies are complete.   | TBD                            |
|  |                                 | (3,000)                           | to                            |                      |  |                                |
|  |                                 | 2,000                             | 366,700                       |                      |  |                                |
| <b>(FY 2014 Request proposes a rescission to reduce this project by \$848,000)</b>     |                                 |                                   |                               |                      |  |                                |
| ***Administrative USP El Reno (Western),OK with Camp (1,856)                           | 2001                            | 6,000                             | 418,400 **                    | 3,429                | N/A<br>Developing environmental services requirements.   | TBD                            |
|  |                                 | (3,000)                           | to                            |                      |  |                                |
|  | 2004                            | (1,000)                           | 462,400                       |                      |  |                                |
|  | 2005                            | 2,000                             |                               |                      |  |                                |
|  |                                 | 4,000                             |                               |                      |  |                                |
| <b>(FY 2014 Request proposes a rescission to reduce this project by \$ 127,000)</b>    |                                 |                                   |                               |                      |  |                                |
| ***USP North Central /Pekin,IL with Camp (1,216)                                       | 2002                            | 5,000                             | 381,200 **                    | 22                   | N/A<br>Considering potential sites at or near Pekin.   | TBD                            |
|  | 2004                            | (2,000)                           | to                            |                      |  |                                |
|  | 2005                            | (2,500)                           | 421,300                       |                      |  |                                |
|  |                                 | 500                               |                               |                      |  |                                |
| ***FCI Florida with Camp (1,408)   | 2002                            | 5,000                             | 293,400 **                    | 0                    | N/A<br>Considering potential sites.  | TBD                            |
|  |                                 | (2,500)                           | to                            |                      |  |                                |
|  | 2008                            | (2,000)                           | 324,200                       |                      |  |                                |
|  | 500                             |                                   |                               |                      |  |                                |

\* The "Activation Funding Date" reflects the change to "operations" funding from construction expenses. Operational expenses are cumulative and reflect past and future month of ramped up activity (staffing, equipment purchase and install, etc.) until the facility is ready to house inmates. The funding activation date for the projects on this page can not be estimated due to uncertain funding status.

\*\* Preliminary cost estimates are updated based on the following factors: When full construction funds are anticipated to become available; Geographic location; Historical and projected cost escalation/ deflation; and Allowances for uncertainty as to actual sites to be developed.

\*\*\* The status of these projects are uncertain due to proposed rescission of funds and/or insufficient available resources.



**O. Waterfall**

**FULLY OR PARTIALLY FUNDED CAPACITY BY FISCAL YEAR**

|  | <u>2013</u> | <u>2014</u>  | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>TOTAL</u> |
|--|-------------|--------------|-------------|-------------|-------------|-------------|-------------|--------------|
| <b><u>Facility</u></b>   |             |              |             |             |             |             |             |              |
| FCI Hazelton, WV (Minimum & Medium)                                    |             | 1,280        |             |             |             |             |             |              |
| USP Yazoo City, MS (Minimum & High)                                    |             | 1,216        |             |             |             |             |             |              |
| Administrative USP Thomson,IL (High)                                   |             | 2,100        |             |             |             |             |             |              |
| <br>   |             |              |             |             |             |             |             |              |
| FCI Midwestern/Leavenworth, KS (Minimum & Medium 1,408 beds) *         |             |              |             |             |             |             |             |              |
| USP Bennettsville, SC (Minimum & High 1,088 beds) *                    |             |              |             |             |             |             |             |              |
| USP Letcher County, KY (Minimum & High 1,216 beds) *                   |             |              |             |             |             |             |             |              |
| <br>   |             |              |             |             |             |             |             |              |
| USP South Central/Forrest City, AR (Minimum & High 1,216 beds) *       |             |              |             |             |             |             |             |              |
| Administrative USP El Reno, OK (Western) (Minimum & High 1,856 beds) * |             |              |             |             |             |             |             |              |
| <br>   |             |              |             |             |             |             |             |              |
| USP North Central/Pekin, IL (Minimum & High 1,216 beds) *              |             |              |             |             |             |             |             |              |
| FCI Florida (Minimum & Medium 1,408 beds) *                            |             |              |             |             |             |             |             |              |
| <br>   |             |              |             |             |             |             |             |              |
| TOTAL CAPACITY   | <u>0</u>    | <u>4,596</u> | <u>0</u>    | <u>0</u>    | <u>0</u>    | <u>0</u>    | <u>0</u>    | <u>4,596</u> |

NOTE: The FY 2014 budet proposes a rescission of \$30 million from prior years' unobligated new construction balances. The rescission reduces funding from the Administrative USP Thomson, IL" project. Further, the rescission reduces four partially funded projects as shown on the Status of Construction (Exhibit N), leaving \$500,000 or less in available funding for each.

\* The status and future activation dates of these projects are uncertain due to proposed rescission of funds and/or insufficient available resources.