

United States Senate

WASHINGTON, DC 20510

August 8, 2012

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
Washington, DC 20530

Dear Attorney General Holder:

We are writing in strong opposition to your July 26, 2012, proposal to reprogram \$165 million to acquire the Thomson Correctional Center in Thomson, Illinois.

We share the concerns expressed by Chairman Frank Wolf and Ranking Member Hutchison that at a time of fiscal crisis for our country, when trust in the federal government is at an all-time low, it is disappointing to receive such a request.

The Federal Bureau of Prisons (BOP) already owns four new, empty prisons in Yazoo City, Mississippi; Berlin, New Hampshire; Aliceville, Alabama; and Hazelton, West Virginia. We believe it would be fiscally irresponsible for a cash-strapped agency to purchase an overpriced and decade-old prison while four state-of-the-art prisons owned by BOP remain idle. Taxpayer dollars would be more wisely spent addressing BOP's existing activation needs to ease chronic overcrowding in federal prisons than adding another empty prison to the inventory.

Prior to your proposal, the purchase and activation of federal prisons have followed an orderly and transparent process. However, there was no competitive process or transparency in how the Illinois facility was selected despite the congressional and White House imposed moratoria on earmarks and projects of this nature.

While proponents of your request point to the employment benefits of implementing this plan, it should come as no surprise that an infusion of hundreds of millions of federal dollars into a small town would improve their economy and local budget woes. However, each of the four prisons pending activation that would lose funding under your reprogramming request also has local employment and economic ramifications that cumulatively exceed those of Thomson, Illinois. BOP's existing Status of Construction List took these and other equally important factors into consideration, and the Thomson facility was never considered until 2010 when purely political considerations forced BOP to discard their objective process and comply with those demands.

The Chicago Tribune states the cost of Thomson Correctional Center was \$128 million, yet you are requesting \$165 million.¹ Why are taxpayers being asked to pay \$37 million more than the original cost of a 10-year-old facility? Your Department says activation funds for the four newly constructed BOP facilities exist and their progress would not be impeded, yet we find this hard to believe because of Thomson's inflated cost and your prioritization of that facility. More troubling is that Thomson would require an additional \$67 million to be activated, meaning

¹ "Close the deal on Thomson." Editorial. Chicago Tribune. 16 July 2012.

the total cost rises to \$232 million. We are concerned that this amount would place immense strains on BOP's finances, and is an unneeded and unwise expenditure at any rate.

Following the rejection letters submitted by Chairman Frank Wolf and Ranking Member Kay Bailey Hutchison, it would be a breach of precedent to move forward with your reprogramming proposal and divert valuable resources from other important projects specifically funded by Congress.

With total acquisition, renovation and activation costs of nearly a quarter billion dollars, the Thomson Correctional Center should be subject to the same objective BOP prioritization and congressional appropriations processes as existing facilities. We strongly urge you to drop your reprogramming proposal and work with congressional leaders through regular order to restore transparency and confidence in the federal prison system.

Thank you for your time and consideration. We look forward to your favorable reply.

Sincerely,

Richard Shelby

Paul Coburn

Kelly A. Ayotte

Ray D. Walker

Jeff Sessions