

OVERSIGHT OF THE FEDERAL BUREAU OF PRISONS

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIME AND FEDERAL
GOVERNMENT SURVEILLANCE

OF THE

COMMITTEE ON THE JUDICIARY
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

TUESDAY, JULY 23, 2024

Serial No. 118-92

Printed for the use of the Committee on the Judiciary



Available via: <http://judiciary.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2024

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OVERSIGHT OF THE FEDERAL BUREAU OF PRISONS

Tuesday, July 23, 2024

HOUSE OF REPRESENTATIVES

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE

COMMITTEE ON THE JUDICIARY

Washington, DC

The Subcommittee met, pursuant to notice, at 10:05 a.m., in Room 2237, Rayburn House Office Building, the Hon. Andy Biggs [Chair of the Subcommittee] presiding.

Members present: Representatives Biggs, Jordan, Gaetz, Tiffany, Moore, Lee, Fry, Armstrong, Nadler, McBath, Dean, Cohen, and Johnson.

Mr. BIGGS. The Crime Subcommittee and Government Surveillance Subcommittee is called to order.

We welcome everyone to today's hearing on the Federal Bureau of Prisons. Before we begin today, I want to acknowledge the passing of our friend and colleague, Sheila Jackson Lee, a longtime Member of this Committee and of the U.S. House of Representatives.

The Ranking Member Jackson Lee was first elected to the House 30 years ago. She previously served as Chair of this Subcommittee, and I had the opportunity to be her Ranking Member, and then we swapped positions. It was always a cordial and professional relationship.

While we may not have seen eye to eye on every issue, on most issues, in fact, I admired her, and I appreciated her tenacity and commitment. We had many frank discussions expressing sincerely held positions. She was a fierce and loyal advocate for her constituents.

She leaves behind her husband, her two children, and two grandchildren, and she will be missed by the Members on both side of the aisle.

Before we take a moment of silence, I am going to yield time to Representative McBath.

Ms. MCBATH. Thank you, Chair. Thank you.

I would like to take a moment to honor my friend, mentor, and my sister, Congresswoman Sheila Jackson Lee.

She was a true powerhouse who fought for the betterment of our country and all its people. She was a genuine force to be reckoned with, always focused on making this country safer, more equitable, and more just.

She was the first woman appointed Ranking Member of this Subcommittee, and went on to fearlessly serve as Chair in the 117th Congress. Her leadership on civil right issues will continue to be felt in Congress and all across this country. She uplifted marginalized communities, championed human rights, and tirelessly defended our democracy.

As a mentor, Congresswoman Jackson Lee showed me the ropes. She took me under her wing during my freshman year. She was one of my first friends on Capitol Hill and offered her support for me even before I came to Washington. I thank God I had the chance to know her and receive her precious guidance.

We served together as moms determined to make a better world. I will do everything that I can in my power to keep that work going. I want to take this time to thank the Congresswoman for everything that she has done for all of us, the least of us, the least of these. For her fighting spirit to the very end.

I am praying for her family, her staff, and for all of us feeling the impact of this loss. Sheila is one of a kind, the only Sheila Jackson Lee.

I yield back.

Mr. BIGGS. Thank you. Let's pause now for a moment of silence to remember.

Oh, I'm sorry, Mr. Nadler. Please, I yield to you.

Mr. NADLER. Mr. Chair, it is still hard to believe that we will never again see our dear friend and colleague Sheila Jackson Lee take her place on this dais.

She ably led the Crime Subcommittee as Chair and later served as Ranking Member. No matter her title, she was always a leader. The mark she made on this Subcommittee through her forceful advocacy for criminal justice, police accountability, gun safety, combating domestic violence, preventing trafficking, protecting victims, and so many more issues will live on for many years to come.

Sheila never let an opportunity pass to stand up for her constituents, and she was a determined champion for all those who are marginalized in society and who needed her voice in Congress to represent them.

I will have a little more to say tomorrow in the Full Committee, but I thank the Chair for recognizing me, and for taking the time to remember such a valued Member of this Subcommittee, as well as a treasured colleague and friend. May her memory be a blessing.

Mr. BIGGS. Thank you, Mr. Nadler. The Chair recognizes the Chair of the entire Committee, Mr. Jordan.

Chair JORDAN. Thank you, Mr. Chair.

No one could get more out of five minutes than Sheila Jackson Lee. She was a friend to everyone on both sides of the aisle, someone that we are all going to miss. I love what the Chair said. I think both he and the Ranking Member and Ms. McBath said it all well.

So, we are going to miss her. One of a kind, one of a kind.

I yield back.

Mr. BIGGS. Thank you. Let's pause now for a moment of silence to remember our friend and colleague, Sheila Jackson Lee.

[Moment of silence.]

Mr. BIGGS. Thank you. I will now ask the gentleman from Wisconsin to lead us in the Pledge of Allegiance.

ALL. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

Mr. BIGGS. Thank you. I will now recognize myself for an opening statement.

I thank the Members for coming to this morning's important hearing, thank the Director for being here. Today's hearing is titled "Oversight of the Federal Bureau of Prisons."

The Federal Bureau of Prisons is a component of the Department of Justice, DOJ. The BOP's mission is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient and—keep talking, OK.

So, BOP's mission 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.

At a time of rising crime, this is a critically important function. BOP operates 122 institutions and locations throughout the Nation, and these institutions are operated at five different security levels in order to confine offenders in an appropriate manner.

As of last month, BOP is responsible for the custody and care of more than 158,000 inmates and employs more than 35,000 individuals. Five and a half years ago, President Trump signed into the law the First Step Act of 2018. The First Step Act sought to reduce the size of the Federal prison population and reduce recidivism while still maintaining public safety.

The Act's three main goals were (1) correctional reform, (2) sentencing reform regarding penalties for Federal offenses, and (3) reauthorization of the Second Chance Act of 2007.

The BOP is charged with much of the implementation of the First Step Act. As I mentioned earlier, we are experiencing a nationwide spike in crime, and it is vital that BOP gets this implementation right. The First Step Act required DOJ to develop a system for BOP to use to assess the risk of recidivism of Federal prisoners and to assign prisoners to evidence-based recidivism reduction programs.

These programs include literacy programs, occupational education programs, trade skill programs, and substance use disorder programs. Inmates who complete the recidivism reduction programming can earn additional time credits, which allows them to be placed in home confinement or an RRC earlier than they would have been.

This is why I said BOP needs to make sure they get this right. We cannot allow criminals to be leaving our prisons early unless we can ensure that they will not reoffend. This Subcommittee has examined the implementation First Step Act on a bipartisan basis

since its passage, and I look forward to continuing that conversation today.

However, there is a larger underlying problem that has persistently plagued the successful operation of BOP, including the implementation of the First Step Act, and it is something that BOP consistently grapples with—the challenges of low staffing and high attrition rates intensifying the risk in an already hazardous profession.

As I mentioned earlier, BOP employs approximately 35,000 personnel across various prisons and facilities throughout the U.S. That is a five-percent decline from 37,000 personnel employed in 2020, yet the prison inmate population has not declined. In fact, it has increased by almost 3,000 inmates.

I know that Director Peters is plainly aware of this persistent problem, and I look forward to hearing from her today on the steps that BOP is taking to address the manpower problem at the Bureau.

There are a couple of other issues as well that I will discuss with Director Peters.

First, I will discuss the treatment of BOP inmates, in particular, impeachment witness Jason Galanis, which I believe has been politically victimized by the Biden Garland Justice Department Federal Bureau of Prisons.

If we look at this, in February 2023, the CARES—under the CARES Act, Galanis applied for home confinement. In March 2023, U.S. Probation Office approved the residence for home confinement. In March 2023, the warden at the FPC Pensacola also approved or signed off on the application.

It then went to Residential Reentry Management of Long Beach, because it was in that sector. On June 9, 2023, RRM Long Beach approved the request and contacted SDNY U.S. Attorney's Office for their approval.

On June 10th, OGR Committee, here, announced that it was subpoenaing Devon Archer, who was a co-conspirator of Jason Galanis and is awaiting his prison term. In fact, everybody of the nine partners in that conspiracy, all were indicted and went to prison except for one. One was never indicted, and that was Hunter Biden, although he benefited from that conspiracy and was a business partner.

Near that June 12, 2023, announcement by the OGR Committee, the U.S. Attorney SDNY, Negar Tekeei, gave, “strongest objection and threatened to go hard on this.” On June 13, 2023, BOP announced—excuse me, denied the Galanis application. On June 22, 2023, Galanis was informed of the denial.

He then appealed. On August 8, 2023, his appeal to Pensacola warden on ground was denied on grounds that “the amount of time he requested for home confinement ‘was not appropriate.’” His appeal was denied. That denial, that rationale, was not under the CARES Act, that was not appropriate to the CARES Act.

On September 22, 2023, Galanis appealed the denial to the RRM, and on February 8, 2024, we announced we were going to interview Galanis. I will say I thank the Director for facilitating the interview of Mr. Galanis, who had been moved to FBC Montgomery, Alabama.

The next day, the BOP central sent Galanis his denial of his appeals. The new reason they gave was that the CARES Act had expired, regardless of the fact that he applied for his change in confinement three months before the expiration of the CARES Act.

Yesterday we had a discussion and I was told that the length of sentence, the high amount of restitution, and that he had violated conditions of release eight years ago when he was out on bail. None of those are statutorily consistent with the CARES Act as well.

The point I am trying to make is this is not unique to Mr. Galanis. Perhaps, I don't know. I will say that this is a problem.

On September—and we moved to this, despite the fact that Hunter Biden was a key partner in the same crime, DOJ failed to hold the President's son accountable. Mr. Galanis provided testimony, both transcribed and a hearing before the Oversight Committee as part of the House's impeachment inquiry.

Mr. Galanis has alleged several instances of mistreatment since his incarceration, including repeated abuse from a BOP employee and DOJ intervening to deny him his home confinement.

Second, on May 6, 2024, Representative Gaetz informed the House of Representatives that BOP Director Peters had denied his request to meet with Dr. Peter Navarro, who at the time was in custody. I also joined Mr. Gaetz and wanted to meet with Dr. Navarro.

On May 9, 2024, I along with Chair Jordan and Representative Gaetz sent a letter to Director Peters requesting your testimony before the Committee, which is why she is before us today. We are grateful for her being here.

Dr. Navarro served a four-month sentence at BOP facility in Miami, Florida, after being charged and found guilty of refusing to comply with a subpoena issued by the partisan illegitimate House Select Committee on the January 6th attack on the United States Capitol and was released just last week.

Director Peters allegedly denied Representative Gaetz's request because Dr. Navarro was "too notorious" to meet with a Member of Congress. We will hear more about that today I am certain.

Additionally, I informed the Director yesterday and I want to make sure to reiterate today, we have a strong desire to go and visit the Danbury, Connecticut, minimum security facility and I hope to do so in the next few weeks.

I look forward to discussing these issues and more issues with Director Peters, and I again thank her. She's been cooperative, she has always been communicative with me. We may have disagreements, but we always talk about those.

So, with that, I am going to yield back. I will recognize Ms. McBath for her opening statement.

Ms. MCBATH. Thank you, Chair Biggs.

Thank you, Director Peters, for coming before us today, and we really appreciate your willingness to answer our questions.

The Federal Bureau of Prisons' significance within the Federal criminal justice system contributes to the overall public safety of our country by not only housing individuals who have been convicted of Federal crimes, but also by providing those individuals with the tools and skills they need to successfully reenter their communities.

In recent years, BOP has faced numerous challenges, including the sexual abuse of inmates by staff and other widespread employee misconduct, chronic understaffing, numerous incidents of violence and inmate deaths, implementation of the First Step Act, and a crumbling infrastructure.

Director Peters, I do want to thank you, though, for the significant strides that you have made toward addressing each of these issues, which existed long before you ever began your tenure. However, these problems are still remaining, even if to a lesser extent.

I urge my colleagues to use today's hearing to focus on what this Committee and what Congress can do to ensure that the Director has the tools, resources, and support that she needs to address agency deficiencies, maintain the safety and wellness of inmates and staff, and prepare inmates for their release back into society.

I am encouraged by Director Peters' commitment to upholding the highest ethical standards among BOP staff, staff members, and her dedicated efforts to change the culture at the BOP. However, we need to talk about the misconduct among BOP employees, which I understand is a very complex problem requiring increased scrutiny on management and comprehensive solutions with robust oversight and a transparent disciplinary process.

In November 2021, we were shocked to hear about the reports at least that 100 BOP employees had been arrested, convicted, or sentenced for crimes over a two-year period. If that report wasn't shocking enough, we soon learned of the disturbing atrocities occurring at FCI Dublin in California, a Federal women's prison known among inmates and staff as the rape club.

Inmates at the facility were subjected to forcible rapes or sexual activity, inappropriate sexual contact, and other abuses at the hands of staff, made all the worse by acts of retaliation for speaking out and coverups by BOP staff and the officials.

While our justice system successfully convicted seven corrections officers, including the prison's former warden, and sentenced the offenders to prison for sexually abusing inmates, in April we were made aware of the chaotic future of the transfer of FCI Dublin inmates to various facilities throughout the country following closure of that facility.

FCI Dublin is just a sampling of the corruption, of the abuse and misconduct that has persisted at BOP for far too long. An alarming number of BOP employees have been convicted of an array of crimes, including bribery, obstruction of justice, and smuggling contraband, while thousands of other employees have been investigated for misconduct as well.

As we all know, employee misconduct of any kind undermines the integrity of the correctional system, jeopardizes the safety and the security of inmates and staff, and erodes public trust in the criminal justice system.

That is why I partnered with Representative Kelly Armstrong and Senators Jon Ossoff, Dick Durbin, and Mike Braun to introduce the bipartisan Federal Prison Oversight Act, which is now on its way to President's desk to be signed into law.

Through multiple investigations, we learned that the lack of independent oversight led to long-term failures at BOP. That perpetrated misconduct contributed to the loss of life, jeopardized the

health and safety of inmates and staff, and undermined public safety overall.

Our legislation, as soon as it is enacted, will provide additional safeguards and rigorous monitoring systems to prevent and eliminate instances of inmate mistreatment. Ensuring that inmates are treated with dignity and respect is an ethical priority, but it also furthers BOP's mission, your mission, I believe, as revised by you, Director Peters, by encouraging rehabilitation and the successful reintegration of inmates into society.

The agency remains critically understaffed, though. Neither BOP nor Director Peters can be expected to fulfill the agency's mission without proper staffing. These poor staffing conditions were amplified by the reduction of more than 5,000 positions by the previous administration and budget cuts. Staffing has plummeted from over 43,000 employees to approximately 34,000 employees, drastically below critical staffing requirements.

Congress, this body, must do all that we can to address the staffing shortages that BOP is undergoing that further compound the challenges of maintaining simple order and safety, providing necessary services, care, treatment, and rehabilitative programming and prioritizing staff, their well-being, and their morale.

Director Peters, you have implemented a series of strategies to tackle the staffing crisis. Whether by offering retention incentive bonuses or requesting a special pay rate from the Office of Personnel Management, you have made tremendous effort to compete with the private sector and other law enforcement agencies for correctional officers, healthcare professionals, and mental health specialists.

Despite your best efforts, BOP operates with nearly 8,000 fewer correctional officer positions than authorized, forcing prisons to use cooks, teachers, nurses, counselors, and other employees to guard the inmates, commonly referred to as augmentation.

As BOP continues to grapple with staffing shortages, particularly at geographically remote facilities, it is expected that the existing workforce must contend with the growing use of overtime, augmentation, fatigue, and burnout, which compromises the safety of inmates and staff, leading to heightened tensions and increased instances of violence.

The First Step Act, which provides inmates with incentives to participate in rehabilitation programs, was signed into law with a primary goal of reducing recidivism.

When teachers and counselors are used to serve as guards, inmates lose staff resources that would otherwise be focused on rehabilitation. Whether mental health or substance abuse treatment, education, or learning new skills, undermining opportunities to prepare themselves for return to their families and communities is what we are faced with.

Without sufficient staffing, BOP cannot fulfill the statute's purpose. As many Committee Members know, the First Step Act suffered from numerous challenges at the outset, beyond staffing shortages, that slowed various aspects of implementation. Director Peters and BOP should be applauded for their recent efforts in implementation of the new law.

The calculation of inmates earned-time credits is now automated, programming capacity expanded by nearly 35 percent. Participation expanded by 35 percent, and BOP now has 112 evidence-based recidivism programs and reduction and productive activities.

Director Peters' leadership should be applauded. Yes, there is more to do, but it should be applauded for the significant programmatic advancements in implementation.

There is still room, once again, for improvement. As BOP increases its capacity for inmate participation in First Step law programming and thus the ability of inmates to reduce their time in custody, BOP must also expand its residential reentry center network. It is imperative that BOP ensures the prompt transfer of those individuals who have done the work and earned the time credits necessary for their release.

Director Peters, please let us know what Congress can do to fulfill the promises that we made to these incarcerated individuals by way of the First Step law. With that being said, I hope that you are also prepared to tell us what Congress can do to support the bureau's efforts to maintain and repair its aging infrastructure.

When you were here last November, your team had identified a \$2 billion deficit that prioritized only those repairs and improvements to facilities that address risks to life and safety. I am interested to hear if that number is still accurate today.

It is clear that the many issues facing BOP are significant and cannot be ignored without jeopardizing public safety. In a short time with the agency, Director Peters has confronted each of these issues head on, with an eye always toward promoting rehabilitation, successful reentry, and the safety and well-being of inmates and employees.

As I said at the start of last year's hearing, there is still much work to be done at BOP. I hope the Subcommittee today, really focus today on this conversation and what we can do to make certain that the agency is able to fulfill its mission with transparency and accountability.

I yield back.

Mr. BIGGS. The gentlelady yields back. We are being called to votes. There's about three minutes left, so we are going to take a recess until after the votes. Thank you.

Thank you, Director.

[Recess.]

Mr. BIGGS. The Subcommittee on Crime and Federal Government Surveillance is called to order. Thank you.

At this point the Chair recognizes the gentleman, Ranking Member for the entire Committee, Mr. Nadler from New York.

Mr. NADLER. Thank you, Mr. Chair.

Mr. Chair, when Director Peters appeared before this Committee just seven months ago, I noted the Oversight of the Federal Bureau of Prisons is one of the Committee's most critical functions. I detailed the numerous deeply rooted problems that Director Peters inherited when she took over as BOP director in August 2022, problems such as chronic understaffing, rampant sexual assault, and inadequate medical and mental health treatment, problems that will take time and resources to address.

Yet, the majority invited Director Peters just months after our last BOP oversight hearing, when it will be unrealistic to expect anything more than incremental progress in addressing BOP's most serious issues. They did so not because they actually care about those issues, instead, my Republican colleagues are using this hearing to pursue their longstanding and, frankly, inexplicable obsession with Hunter Biden.

They have called Director Peters here today primarily to complain about BOP's alleged mistreatment of an incarcerated felon, Jason Galanis, who testified for Republicans at one of their failed impeachment hearings. Mr. Galanis, who gave that testimony from Federal prison, was a former business associate of Hunter Biden who has made all kinds of unfounded allegations against him.

It is no surprise, therefore, that the majority has decided to waste precious Committee time and resources attempting to bully the BOP into granting Mr. Galanis' request for compassionate release, even though BOP policy clearly calls for denying this request, as Director Peters will explain.

Yes, that is right, in the service of their convicted felon Presidential nominee, the majority is using its oversight authority to champion the cause of another convicted felon, one who is serving a sentence of more than 15 years in prison because he defrauded, among others, an impoverished Native American tribe to the tune of over \$80 million.

I also expect that we will hear concerns today about the BOP's alleged mistreatment of certain January 6th insurrectionists. I welcome the newly founded interest of my Republican colleagues in conditions at BOP facilities, but I hope that their concern will also extend to the thousands of other inmates, disproportionately people of color and from low income communities, who do not have the ear of politically connected individuals and elected officials.

The BOP reform could be an area of true bipartisan cooperation, but only if we recognize that all inmates deserve fair and equal treatment.

Since Director Peters' appointment nearly two years ago, she has used her decades of experience to start the long and arduous process of addressing the staffing shortages that BOP has faced in recent years: The crumbling infrastructure of our Nation's prisons and the rampant sexual and physical abuse of inmates at the hands of more than a few bad actors at the BOP.

Since she was last here, for example, Director Peters took the drastic and necessary step of permanently closing FCI Dublin, a women's facility plagued by sexual abuse.

She has also taken agency-wide measures to punish and prevent employee misconduct, and to change staff culture to ensure that we never again see the type of abuse that we saw at Dublin and other facilities.

Sexual abuse is not the only threat to inmate safety at BOP. A February 2024 report by the Office of the Inspector General found that systemic operational and managerial failures contributed to hundreds of inmate deaths that occurred between 2014–2021, the period preceding Director Peters's appointment. More than half of those deaths were suicides. Others were attributable to lack of medical or mental health treatment, or the presence of illegal

drugs and other contraband, issues that are compounded by the staffing shortages that have plagued BOP since former President Trump instituted a hiring freeze from 2017–2019.

Last year, Director Peters told us about the steps she has taken to improve employee recruitment, training, and retention, to ensure that our Nation's prisons are fully staffed with trained, experienced officers who are committed to protecting and serving the inmates in their care.

I also hope that Director Peters will have an update on BOP's continued reliance on solitary confinement, otherwise known as restrictive housing, which takes a devastating mental toll on inmates.

I do want to note that BOP has continued to make progress in another critical area, implementation of the First Step Act, in recent years. In recent years BOP has substantially expanded the programming available to inmates and has improved the process of calculating the time credits inmates earn for completing rehabilitative programs. This has helped to ensure that more inmates receive the FSA credits that they have rightfully earned. As in other issues BOP faces, there is still so much more to be done.

Due to our reliance on over-incarceration, coupled with a refusal to adequately fund the programs necessary for rehabilitation, the demand for these programs still outweighs their availability. Many inmates who have earned FSA credits still remain incarcerated, even though they have enough credits to be released early to a residential reentry center simply because there is not enough bed space in those residential reentry centers.

This is a problem that must be addressed, particularly since the evidence shows us that this programming works. Inmates released early due to FSA earned time credits have a dramatically lower recidivism rate compared to inmates who do not participate in these programs.

As I said, rigorous oversight of the BOP should be a bipartisan issue. The BOP's inmates come from all our districts and they will be rejoining all our communities when they are released. They must be treated with dignity and fairness. They must be kept safe. They must be given the tools necessary to become productive, responsible, hardworking citizens when they are released.

I look forward to hearing from Director Peters and I hope to engage in a productive conversation to ensure that BOP continues to improve under her leadership.

Thank you, and I yield back.

Mr. BIGGS. Without objection, all other opening statements will be included in the record.

We will now introduce today's witness, Ms. Colette S. Peters. Ms. Peters is the Director of the Federal Bureau of Prisons. She was sworn in by the Attorney General on August 2, 2022. She oversees 122 Bureau of Prisons facilities, six regional offices, two staff training centers, and 22 residential reentry management offices.

We welcome our witness and thank her for appearing today. We will begin by swearing you in, Director.

If you will please rise and raise your right hand.

Do you swear or affirm under penalty of perjury that the testimony you are about to give is true and correct to the best of your knowledge, information, and belief, so help you God?

Ms. PETERS. I do.

Mr. BIGGS. The record will reflect that the witness has answered in the affirmative. Thank you.

You have been seated, so that is good.

Please know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize your testimony. Keep it to five minutes. I believe there is clock somewhere close where you can see it. You might hear me knock a little bit when you get to five minutes, indicating to please wrap up.

Thank you, Director Peters. We will now proceed under the five-minute rule and go to your first for your opening statement.

STATEMENT OF COLETTE S. PETERS

Ms. PETERS. Thank you.

Good morning, Chair Biggs, Congresswoman McBath, and the Members of the Subcommittee. I first also want to offer my sincere condolences for the loss of your colleague.

Yes, is that better? OK, I will start over

Thank you. Good morning, Chair Biggs and Congresswoman McBath, and the Members of the Subcommittee.

First, I, too, would like to offer my sincere condolences for the loss of your colleague. I am grateful for the conversations I had had with her. Her fierce advocacy and accountability for the Bureau will be missed.

I am honored to be here today representing our employees, who are dedicated and courageous corrections professionals, committed to our mission and the agency's core values of accountability, integrity, respect, compassion, and correctional excellence.

Nearly two years ago I took the helm, knowing that it was a struggling agency and that it would take time and resources to make positive change. What I found was that our recruitment and retention crisis and our dilapidated facilities are at the core of nearly all our challenges. Low staffing levels impact our institutions' operations, including safety and security, medical care, education, programming, and treatment. So, our priorities are clear: Recruitment, retention, employee wellness, and maintenance and repair.

Fortunately, we are making progress with our recruitment and retention crisis. When I joined the Bureau, we had 986 new hires for that entire calendar year. Already this year we have onboarded over 1,400. The even better news is that we are now hiring more people than are leaving the agency.

Yet, challenges remain. The bottom line is we simply do not pay our people enough. Our average base salary of \$55,000 for new officers is simply not competitive. So, even when we onboard people, some leave for better pay.

As an example, at our facility in Massachusetts one of our officers left because they got a better offer, with better pay, at the local grocery store.

Ads in New York city offer corrections positions that pay \$130,000 after three years, where our Federal officers makes tens of thousands of dollars less.

Our staffing crises are very expensive, as we rely on overtime, augmentation, and incentives to keep our prisons operational. Last year alone we paid more than \$128 million in incentives and spent more than \$315 million in overtime.

I also want to note the human cost of overtime and the augmentation, which we know are incredibly difficult on our corrections professionals, both their physical and their mental health. So, incentives like augmentation, recruitment and retention incentives, and overtime should only be short-term fixes.

To solve our long-term problem, we are working closely with the Department and OPM to create a special salary rate for employees in our institutions. The request, if approved, will require your support. We estimate the need for an additional hundreds of millions of dollars per year.

Our dilapidated infrastructure also affects our mission. It impedes our ability to offer safe, normal, and more humane environments for our employees and those in our custody. That number is now over \$3 billion in maintenance and repair needs. That tells you our infrastructure is crumbling.

We have created a four-year plan to attack the most serious repairs first, and are preparing our 10- and 15-year plans.

Before I conclude I want to celebrate the passage of the Federal Prison Oversight Act. This act enhances our ongoing collaboration and good work with the Office of the Inspector General. I share the Inspector General's and your commitment to greater accountability and oversight and have said so from day one on the job.

I would like to thank Representative McBath for her leadership on this legislation and her acknowledgment on the House floor of our brave men and women, and the need for additional resources to improve environments for them and those in our care and custody.

I also want to thank every Member of this Committee who supported this legislation.

As I have mentioned publicly, we will need more resources to implement this act efficiently on a couple of fronts.

The legislation limits the Bureau's use of augmentation. While I agree wholeheartedly with the sentiment of limiting augmentation, today in the midst of our crisis, without augmentation we will need to mandate more overtime, which will not only cost tens of millions of more dollars but, again, I will note the human cost, the physical and mental wear and tear of our employees.

We will also need to hire additional employees to effectively respond to the additional oversight and make that meaningful, long-lasting change.

All of us at the Bureau, including our national union, look forward to working with you closely to ensure that we have the needed resources to uphold our end of the bargain.

As I have said before, I believe in the government's accountability, transparency, and the importance of oversight.

Thank you for your time. I stand ready to answer your questions.
[The prepared statement of Ms. Peters follows:]



Department of Justice

**STATEMENT OF
COLETTE S. PETERS
DIRECTOR
FEDERAL BUREAU OF PRISONS
BEFORE
THE SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT
SURVEILLANCE
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES
AT A HEARING ENTITLED
“OVERSIGHT OF THE FEDERAL BUREAU OF PRISONS”
PRESENTED
July 23, 2024**

Statement of Colette S. Peters
Director, Federal Bureau of Prisons
Before the Subcommittee on Crime and Federal Government Surveillance
Committee on the Judiciary
United States House of Representatives
July 23, 2024

Good morning, Chairman Biggs, Representative McBath, and Members of the Subcommittee, I appreciate this opportunity to discuss the significant mission and the impactful work happening at the Federal Bureau of Prisons (FBOP or Bureau). I am honored to represent, before you today, the nearly 35,000 employees of the FBOP. As I have said to you before, I believe in good government, accountability, transparency, and the importance of oversight. I appreciate the opportunity to provide an update on the progress at the FBOP.

As the 12th Director of the FBOP, now having served in this role for almost two years, I remain extremely motivated to lead the exceptional corrections professionals of the largest corrections agency in the nation. While I continue to be inspired by their dedication, they are exhausted because of overtime and the demands of augmentation, and they are underpaid. Yet, they still remain laser-focused on our mission and core value of correctional excellence, dedicated to creating environments of normalcy and humanity with safety and security as our top priority. We continue our work to ensure our dedicated corrections professionals return home safely, our communities are safeguarded, and we prepare adults in custody (AICs) for successful reentry.

For the past two years, we have worked to stabilize this agency in crisis. We have created initiatives that focus on recruitment and retention, employee wellness, reducing our maintenance and repair backlog, and reducing the use of restrictive housing. We have also increased engagement with our stakeholders, including proactive outreach to our federal agency and state partners, members of Congress, and members of the media, advocacy organizations, and justice-involved individuals. We recognize that developing meaningful and lasting change is going to take time. I am pleased today to discuss some of our visible change while addressing the work that still lies ahead.

Top Accomplishments at FBOP

In the last two years, we have worked diligently to address several critical issues that directly affect the health, safety, and wellness of adults in custody and employees.

Recruitment, Retention, and Employee Wellness: These are our top priorities. We have made strides in onboarding new employees – upon my arrival in August 2022, FBOP had 986 new hires for the entire calendar year. As of June 2024, we have onboarded over 1,400 new hires, and the number of new hires continue to surpass the number of separations for each pay period since January 2024. In the last two years, we have taken several concrete actions to address our staffing crisis, including:

- Maximizing the use of retention and recruitment incentives within our budget.

- Securing nationwide direct hire authority for correctional officers, which makes it easier for us to bring qualified individuals on board quickly.
- Developing a request for special salary rates to increase pay for most employees in institutions, which if approved, will make us a more competitive employer.
- Creating an automated staffing tool to help us understand our staffing needs.

The wellness of correctional employees is a crisis in this country. The average life expectancy for a correctional employee is 59 years of age, and many suffer from PTSD and related health issues such as anxiety, depression, and suicide. We have begun to address this urgent need by:

- Establishing an employee wellness branch to address wellness, engagement, and our employee assistance program (EAP).
- Expanding employee wellness resources at facilities nationwide.

Employee misconduct: I recognize that we must address employee misconduct. While only a small fraction of FBOP employees engage in misconduct, those who do undermine the FBOP's mission and trust. During my tenure, BOP has:

- After troubling allegations of employee misconduct, removed AICs from FCI Thomson, retrained employees, held those who engaged in misconduct accountable, and changed Thomson to a low security facility.
- Temporarily closed FCI Dublin, a facility where several FBOP employees have been accused of and prosecuted for sexual misconduct, and transferred women to the community or facilities equipped to meet their needs.
- Restructured our Office of Internal Affairs (OIA) and increased total OIA employees from 27 to 146.
- Reduced the backlog of open investigations so that OIA currently has 770 fewer cases open despite the ongoing addition of new cases; reduced the number of matters pending for more than 18 months by 1,712 cases.
- Worked closely with the Department of Justice (DOJ or the Department) Office of Inspector General (OIG), U.S. Attorneys, and local district attorneys to assist in the prosecution of employee misconduct and increase potential consequences for those who engage in criminal misconduct.

Modernization and repair (M&R): FBOP has estimated \$3 billion in M&R backlog of needs that impact life and safety. However, over the last 10 years, our average annual M&R appropriation is approximately \$100 million. While we work daily to prioritize and reprioritize our funding, our M&R appropriation is simply insufficient to address these needs.

We have developed a five-year capital improvement plan focused on our most pressing M&R needs to guide our annual M&R budget requests and as requested by the Congress. It is our hope that this plan will explain the extensive scope and severity of our M&R needs and demonstrate that FBOP will be able to take a strategic approach to addressing those needs.

First Step Act (FSA): Continued focus on FSA implementation is critical to improving outcomes for AICs. We continue to implement the First Step Act by:

- Creating a dedicated FSA Office to enhance Bureau-wide collaboration and maximize resource allocation and use.
- Expanding FSA programming and automating FSA time credit calculations.

Restrictive Housing: Restrictive housing is an effective tool in corrections, and yet we know that the overuse of restrictive housing can be damaging to AICs both from a physical and mental health perspective. To reduce overuse and optimize the use of restrictive housing, we have:

- Reissued our restrictive housing policy to include recommended reforms like limiting use of single-cell confinement.
- Created Reintegration Units and GROW units to help people transfer from restrictive housing to the general population.
- Created transitional units for those who otherwise would be in protective custody.
- Proposed an updated inmate discipline regulation, which will limit the use of restrictive housing dramatically by reducing the penalty for a 100-level offense from 365 days to 60 days in restrictive housing for a first offense (an 84 percent reduction).
- Closed the Special Management Unit at FCI Thomson.

These accomplishments are described in further detail below.

Recruitment, Retention, and Employee Wellness

Appropriately filling positions throughout our organization is a top priority for the well-being of our dedicated employees and the safety of those in our care. In FY 2024, we have seen an approximate 14 percent increase in new hires and a 19 percent decrease in separations. These improvements were accomplished, in part, through use of recruitment and retention incentives, by modernizing our recruitment strategies, and by increasing employee training. In May 2024, we received approval for nationwide direct hire authority for corrections officers (COs). Direct hire authority offers a streamlined approach to federal hiring, and we are optimistic it will further increase our CO levels.

Ultimately, the ability to pay higher salaries likely would attract more qualified applicants and allow us to better compete with other federal, state, and local law enforcement agencies that can pay significantly more. As examples, at a federal prison about an hour outside of Boston, a correctional officer recently quit his job for a better offer with better pay: working at the local grocery store. On the law enforcement side, an advertisement running in the New York City subway states that city correctional officers can make around \$130,000 per year after several years on the job. That same officer with similar tenure at FBOP would earn around \$114,000 after several years, even after we include a 35 percent retention incentive under a waiver approved by the Office of Personnel Management (OPM). The story is the same throughout the country.

We are working closely with the Department and the OPM to offer more competitive salaries – i.e, a special salary rate (SSR) – for a potential wide number of FBOP’s General Schedule employees in corrections facilities.

Incentives and overtime are temporary patches to boost our pay; they are not a cost-effective, long-term strategy for running an agency. In FY 2023, FBOP paid out more than \$128 million in incentives and more than \$345 million in overtime to its employees. Since our FY 2024 budget is flat and requires us to absorb over \$400 million in new costs, we paused consideration of all new pay incentives in April 2024. We are carefully considering all new costs so that we can continue to prioritize hiring. Consequently, we have cut employee training, all non-essential travel, and many important new initiatives and projects needed to address open audit recommendations, implement our strategic vision, and normalize and humanize our institutions.

Hiring and retention of healthcare professionals remains a significant challenge. We are employing a range of human resource flexibilities to increase compensation and make FBOP attractive to qualified applicants who can obtain higher-pay and greater flexibility with other employers. For example, we have implemented Title 38 market pay, which allows us to pay physicians, psychiatrists, and dentists up to \$300,000 per year. Specific positions and specialties are eligible for salaries up to \$400,000. Currently, the average salary for a physician at FBOP is \$298,758. Even with this increased pay authority, it is difficult to compete with other healthcare systems.

Finally, we are nearing the full application of our automated staffing tool to all employee disciplines, which will calculate staffing levels for every kind of staff member at each institution based on its unique mission and our staffing guidelines. While this tool will not solve our staffing crisis and our inability to fill existing positions, we will use data from the tool to inform future recruitment and retention efforts and in preparing future budget requests. We are on track to complete the tool in October 2024.

FBOP, OIG, Congress, and countless other stakeholders share the goals of the recently passed Federal Prison Oversight Act. We all want more accountability, more transparency, and less reliance on stopgaps like augmentation. Given the size and scope of the challenge, however, we know there is no easy fix. We will continue to work with the Administration and Congress to seek resources needed to be responsive to the targets set by this Act.

In recognizing that the wellness of our employees is critical to our overall ability to fulfill our mission, FBOP must cultivate a safe and supportive work environment for every employee. We are creating an Employee Wellness Branch dedicated to a nationwide approach to enhancing the wellbeing of our corrections professionals. This new office will focus on employee wellness, employee engagement, and the EAP to support our employees and increase overall employee satisfaction and retention. Our employees also can now avail themselves of trauma leave and expanded employee wellness resources like the EAP, the Battle Buddy program for military veterans, and participate in employee wellness events at facilities nationwide.

Employee Misconduct

We are committed to preventing employee misconduct, identifying it quickly when it occurs, and holding accountable those who engage in misconduct. As Director, I have addressed FBOP employees on our shared responsibilities to report and prevent employee misconduct. FBOP strongly condemns all forms of sexual misconduct by those in our custody and our employees. We have a zero-tolerance policy for sexually abusive behavior of any kind; every person has the right to be safe from sexual abuse and sexual harassment.

We remain steadfast in our mission to eradicate sexual abuse and harassment at the Bureau. FBOP is working closely with the Department to implement the recommendations of the Department's Sexual Misconduct Working Group and to continue enforcing the requirements of the Prison Rape Elimination Act of 2003 (PREA).¹ Following a 2023 decision by the U.S. Sentencing Commission to expand the applicability of compassionate release for certain individuals who are the victim of sexual misconduct perpetrated by FBOP employees, FBOP have supported six compassionate release requests on behalf of victims.

To address high backlogs and lengthy processing times for investigations of alleged employee misconduct, we reorganized our OIA and moved oversight of our Special Investigative Agents (SIAs) from reporting locally to the Wardens, to reporting centrally to FBOP Headquarters.² We have expanded OIA by 119 positions, including 32 new SIA positions, 12 new Special Agent (SA) positions, 8 new Supervisory Special Agents (SSA), and 1 Senior Investigative Support Specialist (ISS). In March 2024, FBOP held a training on the new investigation policies and trauma-informed investigative practices for newly hired investigators. In addition, our Office of General Counsel has added 14 new positions, including 9 attorneys, to handle disciplinary recommendations once OIA completes its investigations.

The increase in staffing at OIA has helped reduce backlogs and resolve pending investigations. Between August 1, 2022, and July 1, 2024, OIA has:

- Closed over 9,500 open matters, and another 2,000 investigations have been completed and are now in the pending discipline status.
- Reduced the number of currently open investigations, which was 8,060 matters and has come down to 7,290 matters. This reduction was achieved even with the opening of thousands of additional matters during that period.
- Reduced matters open for more than 18 months by 1,712, from 3,918.

As OIA works through the processing and investigative backlog, investigation timelines improve, which reinforces accountability for misconduct – to the benefit of both employees and AICs. Referrals that present serious administrative or criminal misconduct allegations are sent

¹ Report and Recommendations Concerning the Department of Justice's Response to Sexual Misconduct by Employees of the Federal Bureau of Prisons (Nov. 2, 2022), available at https://www.justice.gov/d9/pages/attachments/2022/11/03/2022.11.02_bop_sexual_misconduct_working_group_report.pdf.

² It is important to note that the current backlog does not prevent FBOP from taking appropriate action in response to serious allegations, including removing employees accused of misconduct from a facility when deemed necessary – employees can be placed on administrative separation while their investigation is pending.

first to DOJ OIG for review and referral. That process can take days to months, and this review is required before FBOP is authorized to move forward with any administrative investigation. FBOP actively collaborates with OIG, federal prosecutors, and state and local prosecutors when prosecutions are brought for employee or AIC misconduct.

Remediation of FCI Dublin

FCI Dublin has a long and troubled history, and FBOP has long considered closing it due to several factors, including problems with infrastructure, access to community medical care, and difficulty hiring and maintaining adequate staff. In 2022 and 2023, in light of serious and troubling instances of sexual abuse by FBOP employees at Dublin, FBOP invested significant effort and resources to reform Dublin and improve its culture. In February 2022, FBOP replaced the Dublin leadership team. Additionally, FBOP created a multidisciplinary task force to inspect, monitor, and make recommendations regarding the prison's handling of alleged sexual abuse. Despite these efforts, concerns persisted over misconduct and retaliation against AICs. As a result, by late 2023, we reconsidered whether closure was the only way to address the issues at the institution. The necessity of closure became apparent when, in addition to earlier concerns of infrastructure, culture, reputation, healthcare access, and staffing, FBOP placed most of the executive leadership at Dublin on administrative leave in early March 2024.

Facility closure is a complicated process that requires significant planning. Given safety considerations, FBOP cannot announce plans to temporarily close a facility until that action is in progress. An exception was required in this case, given ongoing litigation about conditions at FCI Dublin and court orders requiring advance notice of prisoner transfers. Accordingly, about one month prior to the closure, FBOP provided advanced notice to the court about planning for a closure and later, on the Friday prior to the operation, FBOP provided advanced notice to that court about the forthcoming movement of AICs.

On April 15, 2024, after weeks of planning, FBOP began moving all AICs out of FCI Dublin and its Camp. This complex, multifaceted operation relied heavily on FBOP employees, and 80 additional FBOP employees were sent to the facility to ensure the care and safe movement of AICs. The temporary employees included several medical and mental health professionals to help ensure those being transferred had care and support they needed. In addition, there were transfer and property support specialists present, as well as subject matter experts in custody classifications, halfway house placements, and compassionate release requests.

FBOP transferred 518 AICs from FCI Dublin to 12 other facilities via bus or airlift, depending on the destination. The FCI Dublin Interim Warden worked closely with the court-appointed special master to manage and oversee the transfer process, including a joint review of each AIC's case file and joint medical clearance. As with all FBOP transfers, the adults in custody at FCI Dublin underwent a thorough assessment to determine the best placement for them, with FBOP designation specialists trying to prioritize keeping everyone as close as possible to their expected release locations. FBOP employees also assessed every individual for eligibility for community placements, in hopes of avoiding transfers to other facilities. As a result of this review, 27 AICs at FCI Dublin were transferred into community placements rather

than other facilities. During the transfer process, FBOP personnel inventoried and packed AIC's personal property and provided meals, water, and when needed, medical and mental health care.

My expectations have been clear: The needs of the AICs from FCI Dublin are to be addressed with compassion and respect. We are committed to helping each individual adjust to their new environment with the necessary care and support. Upon arrival at their newly assigned FBOP facility, each individual was interviewed and screened by employees from the case management, medical, and mental health teams to make sure they have access to appropriate services and support consistent with their needs. FBOP employees are to ensure that all AICs continue to receive their programming needs (e.g., substance abuse treatment, educational/vocational training, individual and/or group counseling, medical/mental health treatment) when that treatment is available.

To maintain oversight and ensure transparency, FBOP employees are conducting daily rounds to ensure that individuals who would like to report misconduct or concerns can report the misconduct directly to an OIA employee or any other FBOP employee on site. I have made clear that any allegations from AICs will be taken seriously and referred to OIA for a thorough investigation. AICs who make allegations are provided additional support that includes access to medical and mental health care and access to outside victim advocacy services for emotional support services related to sexual abuse. We have also assigned FBOP Central Office staff to track the individuals who were housed at FCI Dublin as they continue in custody in their receiving institutions. This is intended to provide an additional layer of monitoring and assurance that these individuals will have needed support and are being treated to our expectations.

FBOP will not re-open FCI Dublin as a women's facility. We are assessing the facility for potential future uses in line with that commitment.

Facilities Modernization and Repair

The Bureau has over 46,000 acres of land with more than 3,600 buildings that make up its over 120 institutions. The Bureau's estimated backlog for significant M&R of those facilities is approximately \$3 billion. To help address the backlog, FBOP developed a comprehensive Five-Year Capital Investment Plan for its major M&R projects. This plan is structured to ensure that all critical needs are systematically addressed. The plan is categorized into several key repair categories, each focusing on specific aspects of infrastructure and facility maintenance. By breaking down the repair needs into these specific categories, the FBOP's Five-Year Capital Investment Plan aims to methodically tackle each area, ensuring that all necessary repairs and upgrades are completed in a timely and efficient manner. This structured approach not only addresses immediate repair needs but also helps in planning for future maintenance, thereby promoting the long-term sustainability and functionality of the facilities.

First Step Act Implementation

We remain committed to the FSA mission of improving criminal justice outcomes and reducing the size of the federal prison population while maintaining public safety. We are working to ensure those in our care can access programming opportunities and that eligible individuals receive appropriate FSA incentives. We currently have 113 standardized evidence-based recidivism reduction (EBRR) programs and productive activities (PAs) within the Bureau. Between January 2020 and July 2024, approximately 177,000 incarcerated individuals completed 565,000 of these programs. This year we will implement an FSA Dashboard which will allow institutions to easily monitor and manage all aspects of risk assessments, needs assessments, programming, and incentives (including FSA time credits).

We are also establishing a dedicated FSA office responsible for Bureau-wide FSA strategic planning, reporting requirements, inter- and intra-agency, and stakeholder coordination on FSA efforts, and tracking of FSA spending. The office will directly support the goals of improving criminal justice outcomes and reducing recidivism while maintaining public safety. Further, it will support program offices and centralize the coordination and monitoring of all FSA implementation efforts to ensure continuity and consistency across all institutions. With support from the FSA office, we will continue to make significant investments in FSA implementation. This includes funding for Medication-Assisted Treatment for Opioid Use Disorder, continued investment in EBRR programs and PAs, expansion of Residential Reentry Centers, and the necessary maintenance and repair for FSA programming space.

Evolving Approaches to Restrictive Housing

As of June 30, 2024, 10,701 individuals were housed in Special Housing Units (SHU) in Bureau facilities. This number represents roughly a 1.3 percent decrease in the percentage of individuals in our custody who were housed in SHU since the same time last year.

We are implementing several new initiatives to ensure that individuals are housed in the most appropriate setting for their specific situation. For example, we have activated five Reintegration Units (RUs) for medium- and high-security incarcerated individuals who have been in restrictive housing due to protective custody requests. RUs allow AICs to improve their ability to adjust to less restrictive environments and eventually reintegrate into the general population when doing so does not pose a risk to their safety or others. As of July 1, 2024, these RUs can house approximately 875 individuals. In addition, for individuals seeking protective custody, we use routine transfers to allow those individuals to enter the general population at another facility where there is no foreseeable threat.

In response to studies of FBOP's use of restrictive housing by the Department, the OIG, and the Government Accountability Office, as well as our own studies, we have taken several near-term steps to reduce the use of restrictive housing, including:

- Issuing a new SHU policy in March 2024, which directs employees to place AICs in SHU with a cellmate absent unique circumstances; mandates quarterly training for employees assigned to SHU; requires additional staffing in SHU in certain

circumstances; and includes various mental health interventions to better assess the well-being of those in SHU.

- Developing and implementing Secure Mental Health units, which are designed to house and provide intensive treatment to incarcerated individuals with mental illness who would otherwise need to be placed in restrictive housing.
- Initiating the process of amending the Disciplinary Program policy to limit the usage and duration of restrictive housing for disciplinary violations and discontinue its use for punishing those who engage in self-harm.
- Decreasing the number of individuals housed at the Administrative Maximum Facility in Florence, Colorado, by over 20 percent since 2017.
- Creating a specialized post in restrictive housing to help AICs transition from restrictive housing to the general population.
- Eliminating the use of the Special Management Units.

In the long term, FBOP and the National Institute of Justice have partnered to explore policies and discern whether and how FBOP can further reduce its reliance on restrictive housing. We will use those findings to explore alternatives, implement effective policies, and ensure compliance within our correctional institutions while maintaining safety and security.

Conclusion

Chairman Biggs, Representative McBath, and Members of the Subcommittee, I am honored to speak on behalf of the Bureau and its dedicated employees throughout the country regarding the good work we are doing and our efforts at continuous improvement. I believe in the importance of transparency, oversight, and coming to this work with arms wide open. The Bureau's mission is extremely challenging but critical to the safety and security of the public, our employees, and individuals housed within our facilities.

We are improving on many fronts, and with your support and with additional resources to address our staffing and M&R needs, we will remain a forward-thinking leader in corrections that enhances the wellness of our dedicated law enforcement professionals risking their own safety to ensure the safety of others, while helping those in our care to rejoin their communities as responsible neighbors. I thank you for the opportunity to speak with you today, for the support we have seen from members of this Committee, and for your continued support as we move forward.

Mr. BIGGS. Thank you, Director Peters.

Now, we will proceed under the five-minute rule with questioning. The Chair recognizes the gentleman from Florida, Mr. Gaetz, for five minutes.

Mr. GAETZ. Director Peters, do you remember telling me that Peter Navarro was too notorious when I wanted to interview him during his incarceration?

Ms. PETERS. Congressman, we had a long conversation about your desire to have us help facilitate Mr. Strand to appear on your podcast.

Mr. GAETZ. Nope, nope, no, no. This is Navarro.

So, I am asking about Mr. Navarro. Do you remember telling me he was too notorious?

Ms. PETERS. Oh, sorry, Congressman, yes.

Mr. GAETZ. OK. So, all right, I want to get into how you determined that an inmate is too notorious for an interview or not too notorious for an interview. What is the standard that you applied?

Ms. PETERS. So, Congressman, I think it is really important for the Committee to understand that the request was about him appearing on a podcast. It wasn't about facilitating a meeting with the two of you, which my office followed up and said we would clearly facilitate.

Mr. GAETZ. Correct.

Ms. PETERS. There is only one avenue, as we talked about, in our policy around being able to appear on a podcast, and that is our media policy. You, with your personal podcasts, that is not official need.

Mr. GAETZ. No. No. It is my official podcast.

So, the Members of Congress do podcasts to function as video newsletters to tell the American people what is going on. So, I wanted to interview Navarro. You said he was too notorious. You have acknowledged that was the basis.

So, I want to know now what test you apply to determine that someone is or is not too notorious?

Ms. PETERS. Again, Congressman, while I shared that information with you in a one-on-one briefing, the crux of the denial was that we were not able to help facilitate an incarcerated individual to appear on a podcast.

Mr. GAETZ. No, no, no. That wasn't what you said. You said it was—you acknowledged it was this notoriety factor. The reason I ask is because Michael Avenatti gave an interview from Federal prison.

So, I guess, why is it that Michael Avenatti is authorized to do an interview from Federal prison but Peter Navarro isn't?

Ms. PETERS. Congressman, I met with you to be as helpful as possible to discuss—

Mr. GAETZ. That wasn't helpful.

No, because here is what it looks like. OK. You have acknowledged that the reason you didn't let me interview Navarro was because you said he was too notorious. Then, I have spent more than a minute trying to get you to explain what the test is for that notoriety, and you can't explain that. You just keep on going back to, well, we couldn't facilitate you and we were trying to be helpful.

That wasn't helpful. When you have standards that are subject to just any interpretation you want, then you carry with the entire Bureau the belief that you guys are just being arbitrary. Because when John Gotti is allowed to do an interview from the Federal prison and Peter Navarro isn't, it is hard to ascertain how Gotti would be less notorious.

It just sort of looks like it animates the concern that you heard expressed by the Chair, whether it's Galanis, or Navarro, or Bannon, or whomever, that you guys are trying to make it harder on people who are expressing views that you don't particularly like.

So, that is going to be a problem. We are going to have to put into law, or oversight, or something, the ability to get to these people because we are not going to accept just you are making a determination that Avenatti is not too notorious, but Navarro is.

So, you hear the Chair say in his opening remarks that we want to go to Danbury prison in Connecticut. We want to go there to see Mr. Bannon.

So, is there going to be any problem in the next few weeks approving a visit with the Chair of this Committee to go to Danbury?

Ms. PETERS. As the Congressman and I talked about during a one-on-one conversation yesterday, and as I will say to the Committee, we will be happy to review that request and make that accommodation as you submit that request to the Office of Legislative Affairs.

Mr. GAETZ. OK. I appreciate the commitment to review it. Are you committing to approve it?

Ms. PETERS. Congressman, those approvals actually happen through the Office of Legislative Affairs. I can't foresee an issue with the approval of that.

Mr. GAETZ. They work for you. This is the Legislative affairs you are testifying before your Oversight Subcommittee. So, why don't you just tell us that you will approve our trip to go to Danbury?

Ms. PETERS. That approval rests with the Department. We have a longstanding process of reviewing—

Mr. GAETZ. You lead the Department. There is not some other person. You are the head of the Department, why can't you just say we can go?

Ms. PETERS. We have a longstanding process of those requests being reviewed by the Department. I will encourage my team to work closely with the Department in reviewing that request.

Mr. GAETZ. That is just a total non-answer.

This is what we get, Mr. Chair. This is what we get, arbitrary standards, non-answers. Frankly, if we continue to fund it and tolerate it, that is all we are going to get.

So, I would encourage some robust oversight here. I would not want to be in a position where you guys denied this request.

Finally, I would just say with my final few seconds, Mr. Biggs and I were in really one of the most impressive prisons in the world, CECOT, in El Salvador. There was concern expressed by the Minister of Justice there that the Mexican mafia is operating out of our prisons, and they are able to conduct criminal enterprises and use communication capabilities. So, I hope you would just take for the record perhaps a review of what the Mexican mafia's activities are. I would love to hear about it.

Finally, just want to echo all, everyone on the Committee's very thoughtful and appropriate remarks about our colleague Sheila Jackson Lee. It only seems appropriate to offer that after the gavel has been rung because that is when Ms. Jackson Lee did some of her most outstanding work.

I yield back.

Mr. BIGGS. She and I talked about that frequently, so.

The Chair recognizes now the gentlelady Ms. McBath.

Ms. MCBATH. Thank you, Chair.

Director Peters, the grotesque actions at FCI Dublin is an extreme example of why every person needs oversight, every prison needs oversight. I back its closure 110 percent. Closing the facility was the first step in a long and harrowing process.

The women at that prison remain in need of supervision, protection, and a sense of what their futures would look like. They have already endured so much. It is your job to ensure that no additional harm comes to them.

Many of these women held at FCI Dublin have family members and loved ones who are concerned for their physical safety and their emotional well-being.

What steps were taken to screen for histories of misconduct among the temporary staff BOP brought to FCI Dublin to facilitate the transfer of adults in custody?

Ms. PETERS. Thank you, Congresswoman.

There was a review by the regional directors to ensure that the people we were sending to have additional eyes and ears in that facility during that closure were the appropriate people.

We also brought in additional members from the regional office to have that oversight as well. Safety and security of those women, and fear of even perceived retaliation during that move was top of line for us.

Ms. MCBATH. Thank you.

What oversight is occurring to ensure that women are being treated humanely during their transfer process?

Ms. PETERS. So, on a variety of levels. We sent out clear messages to the wardens that they would have direct eyes and ears in watching these women as they arrived in their receiving institutions to ensure that they had the medical care, the mental healthcare, access to counsel, access to their family. You are right, we were worried about their families as well.

We also have an individual that has been a liaison with our SAFER teams from the department, from the Office of the Deputy Attorney General. She, too, is keeping watch on these individuals. So, we have someone in central office paying attention.

I also had the opportunity to visit a group of these women who have been transferred to our facility, our SeaTac facility in Washington, and talked to them directly to ensure that their transition was going smoothly.

Ms. MCBATH. Did BOP evaluate every woman's eligibility for early release or release to community placements with consideration for good time credit, and also the First Step Act credit, and the Second Chance Act before assigning them to another facility?

Ms. PETERS. Congresswoman, we did. In fact, at the time that we decided to close the facility there were over 600 women at that facility. At the point of moving them out we had 518.

So, a substantial number of them were able to go to the community based on those earned time credits or other standing.

Also, the women that I mentioned that were housed at SeaTac, those were individuals that have less than five months remaining on their sentence. We wanted them to be as close to their releasing facility as possible during the latter part of their sentence.

Ms. MCBATH. Finally, what efforts were made to ensure that other BOP facilities had the capacity to receive those individuals that were transferred from FCI Dublin?

Ms. PETERS. Yes. We did a careful review of capacity and their ability to safely absorb them. Felt comfortable with the institutions that we had chosen that they were able to safely absorb them and provide them the appropriate treatment, programming, and medical and mental health.

Ms. MCBATH. We have also been kind of concerned about the fact that we understand that some of the individuals that were transferred were transferred very far away from their communities and far away from their families, with no notification of those family members as to where their family and those individuals were being transferred to.

I, myself, also having the murderer of my son's child actually placed in Federal prison as well, I will tell you our rights were violated because that gentleman—I will call him a gentleman—actually was transferred. We never knew anything about it. I found out from the media that he had been transferred out of the State of Florida to another facility.

Ms. PETERS. Thank you, Congresswoman. I know you and I have talked about that unfortunate incident. I was just, again, sorry that happened to you and your family.

The families were also a concern of ours in this move. For safety and security reasons we can't give advance notice on when we are moving adults in custody ever, not just the temporary closure of a facility but even the daily moves that we make, which is why we made sure that they have access and ability to reach out to their families once they arrived at their receiving institution.

Ms. MCBATH. Thank you very much.

I yield back my time.

Mr. BIGGS. The gentlewoman yields. The Chair now recognizes the gentleman from Wisconsin, Mr. Tiffany.

Mr. TIFFANY. Thank you.

Director Peters, the Ranking Member said it very good in her, very well in her opening statement that everyone should be treated with dignity and respect. I am assuming that applies to all inmates. Is that correct?

Ms. PETERS. That is correct.

Mr. TIFFANY. Derek Chauvin in a Tucson facility was stabbed 22 times while he was copying documents. What happened?

Ms. PETERS. Congressman, excuse me, I won't be able to speak to the details of that situation for obvious reasons. I will tell you that the safety of all individuals in our custody is what we do every day. That is our mission. That is our focus.

Mr. TIFFANY. So, the gang member that stabbed him 22 times seems now to have full access to being able to, for example, copy documents, stuff like that, while Mr. Chauvin is not allowed that privilege currently.

Why would there be disparate treatment like that?

Ms. PETERS. Congressman, I wouldn't be able to speak to the specifics of Mr. Chauvin's incarceration or the assailant.

What I can tell you is that we have experts who make housing determinations and placements to ensure that people are safe and secure, both the individuals that were assaulted and the assailant.

Mr. TIFFANY. Are you aware that Jason Galanis reported to a BOP chaplain that he was the victim of repeated incidents of sexual harassment at the hands of BOP staff?

Ms. PETERS. I am familiar with Mr. Galanis' allegations, yes.

Mr. TIFFANY. Is that staff member who assaulted Mr. Galanis, is he still working for BOP?

Ms. PETERS. Again, that is an ongoing investigation. I wouldn't be able to speak to the alleged individual's circumstances right now.

Mr. TIFFANY. Mr. Chair, this is really one of, I have been here four short years, this is really one of the frustrating things. When people come before this Committee, whether it is the FBI, the Department of Justice, whomever, we rarely get answers. You can see why the American people are losing faith in some of our institutions when we can't even get answers to some of these things.

I just want to close with this question, Director Peters.

In Wisconsin recently we had a staff member that was killed at the Lincoln Hills Juvenile Facility. I don't expect you to know the details in regard to it. A judge restricted use of restraints for violent youth due to an appeal by the ACLU.

Do you ever run into the same problem where a result of the actions of the courts that they restrict the ability to protect staff?

Ms. PETERS. Congressman, I am not aware of any examples.

Mr. TIFFANY. So, you believe your staff is well protected?

Ms. PETERS. I am sorry, I am not understanding the question.

Mr. TIFFANY. Do you think your staff is relatively safe in the environment that they work in?

Ms. PETERS. I think that the important thing that we do every day is working to train them with make sure they have the tools and the resources they need to operate safe and secure prisons.

Mr. TIFFANY. So, Mr. Chair, thank you for giving me the latitude where I am morphing into a State issue, but it is very disappointing now, a staff member, a very good staff member was killed in a facility that I live in, that lives in my district as a result of a judge who took actions that allowed the inmates to run the asylum.

With that, I yield back.

Mr. BIGGS. The gentleman yields.

The Chair now recognizes the Ranking Member of the whole Committee, the gentleman from New York, Mr. Nadler.

Mr. NADLER. Thank you, Mr. Chair.

In April 2023, GAO placed management of the Federal prison system on its high risk list, in part due to staffing challenges. In which positions are vacancies most acute?

Ms. PETERS. We are focused mostly on our correctional officers.

Mr. NADLER. What is your short- and long-term plan to increase the number of correctional officers to meet the needs of the system?

Ms. PETERS. Thank you for the question.

We have done so many things:

- We have used every incentive that we have at our fingertips, both recruitment and retention incentives.
- We have changed how we are marketing and trying to hire our correctional officers.
- We increased correctional officers' base salary by \$2,000.
- We waived the maximum entry—age entry, excuse me, from 37–39.
- We pay a \$1,000 recruitment bonus to any employee that successfully recruits someone and brings them onto the Bureau.
- As of May 2024, we received direct hire authority for our correctional officers nationwide, which has proven very successful.

Then, as I mentioned in my opening remarks, I think the primary focus is really that base salary and working with the Department and OPM for a special salary rate.

Mr. NADLER. Thank you.

According to GAO, some of the staffing concerns relate to difficulty recruiting, while other challenges relate to what the GAO calls “the growing use of overtime and augmentation.”

What are you doing to reduce overtime and, specifically, the use of mandatory overtime?

Ms. PETERS. Thank you, Congressman.

As I said in my opening remarks, in wears and tears. As I walk through the halls of my institutions, while our correctional officers are so proud to tell me of the work that they are doing, they also share how exhausted they are. It is driven by overtime and augmentation.

So, our focus to reduce that is hiring, is to get our institutions fully staffed.

I just visited our facility in Michigan, Milan, Michigan, where it is nearly fully staffed. Just the tenor and tone of that institution was so different because they weren't buried with overtime and augmentation.

Mr. NADLER. Would adjusting the pay scale or GS scale of correctional officer, correctional officers upward across the board be more advantageous to BOP in retaining staff and cost savings than paying millions of dollars in overtime?

Ms. PETERS. Congressman, any way that we can pay our people more, will actually in the long run cost less than overtime, yes.

Mr. NADLER. Thank you.

You have made it clear that you will not tolerate employee misconduct of any kind, and that this issue is among your highest priorities. What specific steps are you taking in this regard?

Ms. PETERS. So many. This is something that we have focused on out of the gate.

When I first started as director two years ago we had under 30 people who worked in the Office in Internal Affairs. We now have almost 150 individuals. We have realigned their reporting author-

ity, so they report directly to headquarters, not up through the warden, to remove any perceived or real barriers to that.

We are working very closely with the Office of the Inspector General. I personally meet with him quarterly. Our teams meet regularly to ensure that the backlog and the communication is wide open there as well.

Mr. NADLER. In what way is the Department of Justice assisting your efforts to root out and address employee misconduct?

Ms. PETERS. They have been incredibly helpful. The Deputy Attorney General herself and I have met directly with the U.S. Attorneys to talk about the importance of prosecuting employee misconduct out of the Federal Bureau of Prisons. They have been very receptive to that.

I have met with U.S. Attorneys regularly in the last two years, multiple times in the last two years to share that very sentiment.

Mr. NADLER. Thank you.

In recent months there have been a series of reports documenting BOP's continued widespread use of restrictive housing, with devastating and deadly results. What steps is BOP taking to restrict the use of restrictive housing?

Ms. PETERS. This is an area where we still have room for advancement.

I have a long history of reforming restrictive housing. As I was talking to the union earlier, it is a tool we will always have inside our institutions, but we need to limit it even more dramatically. It has dropped slightly since I started.

Probably the biggest thing that we have in the works is we have been working closely with the national union to revise our policy around discipline for those in our custody. As it is written right now, it reduces the sanction time in restrictive housing by almost 84 percent.

So, once that is passed, I think we will see substantial change.

Mr. NADLER. What has BOP done to address the high rate of suicide in restrictive housing?

Ms. PETERS. So, we have mandated that individuals are double celled in restrictive housing to ensure that they have human contact while they are in restrictive housing.

Mr. NADLER. Thank you.

Before becoming Director of BOP, you often spoke about the harms of solitary confinement and the benefits of alternatives to the practice. What are the benefits that you see in alternatives to solitary confinement where people are separated from the general population but are provided real and effective out-of-cell programming and services?

Ms. PETERS. We have—

Mr. BIGGS. The gentleman's time has expired.

You may go ahead and answer the question.

Ms. PETERS. Thank you, Mr. Chair.

The research is very clear: The more normal and humane environments that we provide for the adults in custody, the safer they are, the less wear and tear on them as well as our employees.

So, we have many alternatives to restrictive housing that we have engaged in over the last couple of years, including our Step Down Units, our Reentry Reintegration Units, and our GROW

Units, which actually prevent people from actually going to restrictive housing.

So, we are taking lots of steps to see those numbers drop because we know very clearly the negative impacts of restrictive housing on those individuals.

Mr. NADLER. Thank you, Director. I yield back.

Mr. BIGGS. The gentleman yields back. At this time, I acknowledge that the gentleman from South Dakota—

Mr. ARMSTRONG. North Dakota.

Mr. BIGGS. Sorry about that. The gentleman from North Dakota, Mr. Armstrong, would like to be waived on. Without objection? Seeing none, OK. Chair now recognizes for his five minutes of questioning, the gentleman from—excuse me, the Chair of the entire Committee from Ohio, Mr. Jordan.

Chair JORDAN. I thank the Chair. Director, how many Federal inmates were released to home confinement under CARES Act?

Ms. PETERS. We had about 35,000 released under the CARES Act.

Chair JORDAN. Thirty-five thousand?

Ms. PETERS. Oh, excuse me, 35,000 is the number under FSA Earned Time Credits. Under CARES Act, it was—

Chair JORDAN. Thirteen?

Ms. PETERS. Thirteen thousand—13,204.

Chair JORDAN. Thirteen? That's what I thought.

Thirteen thousand. On February 4, 2023, Jason Galanis after serving approximately 40 percent of his sentence applied for home confinement. The very next month, the probation office approved that. You're familiar with that, right?

Also, the very next month, March 2023, the Pensacola warden approved—and then on June 9th, the Residential Reentry Management Center also approved Mr. Galanis for home confinement under the CARES Act. Then, four days later, the Board of Prison denied it. Who made the decision to deny that?

Ms. PETERS. The denial came out of the Residential Reentry Management Office.

Chair JORDAN. After they approved it, four days later, they changed their mind?

Ms. PETERS. So, the Chair and I spoke yesterday. I think there's some confusion around approvals and referrals. The warden has the ability to refer. Probation has the requirement to confirm that his housing option in the community is proper. That still doesn't approve a home confinement placement. The final decision rests with the Residential Reentry Management Office.

Chair JORDAN. They told Mr. Galanis on the 9th that everything was fine. Then on the 13th, they changed. Why?

Ms. PETERS. That is not my understanding. The Residential Reentry Management Office did a thorough review of his case and concluded that he was for a variety of indicators would not be a good candidate for home confinement.

Chair JORDAN. The Residential Reentry Management Center on June 9th approved Mr. Galanis' request for home confinement and then reached out to the Southern District of New York where he was prosecuted. Is that what happened?

Ms. PETERS. That's not my understanding. My understanding is since he had more than five years on his sentence, it was practice for the Residential Reentry Management Office to reach out to the U.S.—

Chair JORDAN. Anyone else get CARES Act release and home confinement under the CARES Act who had more than five years left on their sentence?

Ms. PETERS. I can't answer that question.

Chair JORDAN. I can. David McMaster did. David McMaster did and sentenced for fraud, similar to Mr. Galanis, had 188 months sentence and was given home confinement under the CARES Act.

Ms. PETERS. We look at each case individually. I am confident that Mr. Galanis—

Chair JORDAN. OK. So, this is what I'm getting at. What was the reason—whether it was an approval then a denial, what was the reason for the denial?

Ms. PETERS. So, it was a handful of reasons. We look at the totality of the circumstances when we make—

Chair JORDAN. When you say we, who ultimately makes the decision? Does that rest with you?

Ms. PETERS. No, sir. I do not review these.

Chair JORDAN. Can you overrule it?

Ms. PETERS. This is the Residential—

Chair JORDAN. Can you overrule what happens at the Residential Reentry Management Center?

Ms. PETERS. I have never overruled one of their decisions.

Chair JORDAN. Never? OK. Then what were the factors that made this determination?

Ms. PETERS. So, the factors included the fact that in a previous incarceration cycle, he violated the conditions of his supervisory lease by texting a potential witness. His bond was ultimately revoked. His role in the instant offense as a leader and organizer was outlined in the presentencing we support. As was mentioned earlier, he owed over 80 million dollars in restitution. He had more than ten victims and more than five years left on his sentence.

Chair JORDAN. How many were turned down? The people who applied under the CARES Act, you gave approval to 13,204. How many were denied?

Ms. PETERS. I don't have that number but happy to look into it and get it back—

Chair JORDAN. Is it a big number? Is it a small number? What's the number?

Ms. PETERS. Congressman, I wouldn't venture a guess under oath. I will tell you that toward the end of CARES Act, the number of requests that came in I'm told tripled as the population learned the CARES Act was expiring. So, I know at the time of his request, the numbers were very high.

Chair JORDAN. Did the fact that the House Oversight Committee subpoenaed Mr. Galanis' business partner have any weight on the decision to deny his request?

Ms. PETERS. No.

Chair JORDAN. You're confident of that?

Ms. PETERS. I have no evidence to suggest that the Residential Reentry Management Office would have taken that into consideration. That would've been outside BOP policy.

Chair JORDAN. Because June 9th, they basically told him, OK, it looks good. On June 13th, they deny it. Anything happen in between there that could've influenced the decision?

Ms. PETERS. Not that I am aware of.

Chair JORDAN. That's when the subpoena was sent to his business partner on June 12th. We actually think that probably had some impact on the decision to deny his request given that other people—similar crime, similar sentence were, in fact, approved like Mr. McMaster. You're saying that had nothing to do with it?

Ms. PETERS. Correct.

Chair JORDAN. You don't know how many were turned down?

Ms. PETERS. No, but happy to find that number and get it back to you.

Chair JORDAN. Mr. Galanis is nonviolent. His crime was nonviolent. Any people who were in for a violent offense were then released under the CARES Act?

Ms. PETERS. Congressman, I am confident that Mr. Galanis' case was handled within existing BOP policy, and I am aware that any part of his application was denied other than the merits that I just described to you.

Chair JORDAN. OK. Well, the timeline doesn't seem to add up to what you just described there. I yield back.

Mr. BIGGS. The gentleman yields back.

Ms. MCBATH. Mr. Chair?

Mr. BIGGS. Yes?

Ms. MCBATH. Mr. Chair, I ask unanimous consent to enter into the record a letter from DOJ explaining that Mr. Galanis was not eligible for home confinement under the CARES Act consistent with department policy because of the length of time on his sentence and the nature of his conduct, which as we know involved conning shareholders, investors, and a tribal entity out of tens of millions of dollars.

Mr. BIGGS. Without objection. The Chair now recognized the gentleman from Alabama, Mr. Moore.

Mr. MOORE. Thank you, Mr. Chair. Ms. Peters, thank you for being here today. On December 21, 2018, President Trump signed the First Step Act, and it was sentencing reform. I understand that mandatory sentences were reduced, in some cases from 20–15 years, depending on the crime, of course. Did you say 35,000 people were released as a result of the First Step Act?

Ms. PETERS. That's correct.

Mr. MOORE. The safety valve program which also restricts or allows judges in nonviolent crimes to allow criminals or at least people who have been convicted a little earlier release. Has that been helpful in lowering prison population and crowding?

Ms. PETERS. Our prison population is continuing to climb ever so slightly even though we have some of these tools at our disposal.

Mr. MOORE. In Alabama—I think we spoke about this last time. I'm a proponent of prison reform and certainly sentencing reform. We have a prison in Alabama that actually teaches skills.

So, when the inmates come out, they're certified welders, diesel mechanics, and all the above. The recidivism rate has lowered dramatically. So, I would encourage us to look at those kind of programs.

Concerning Mr. Galanis, I didn't realize that he had eight business partners. I think Hunter Biden had eight business partners, and Mr. Galanis was one of the eight that got sentenced. Hunter did not get charged with anything is my understanding. That's the problem and we talked about this with Merrick Garland.

Sometimes it seems like certain people, justice is not truly blind, and that's been a concern for us. Certainly, with Mr. Galanis being a partner with Mr. Biden and us trying to get information concerning the impeachment process, you understand how we're concerned when he's denied after he's approved, and then all of a sudden, we send a subpoena and they go, oh, by the way, you've been denied? You think in any way that sometimes politics gets into the part of the prisons?

Ms. PETERS. Congressman, no. We are to uphold the letter of the law and our policies. Politics should not be taken into account when we're making those decisions.

Mr. MOORE. Well, under the First Step Act which we just talked a little about, certain incarcerated individuals are meant to be able to earn time credits for participating in recidivism reduction programs. Our productive activities which can be later applied toward early release, we've been informed by the BOP that it is not processing—or at this time, it's not processing these earned credits, leaving inmates, including Jason Galanis in the dark regarding his status through the First Step Act. What is the BOP doing to rectify the implementation of the First Step Act to ensure that individuals like Mr. Galanis are receiving proper treatment under the law?

Ms. PETERS. So, the automation of the earned time credits has proven very effective. It really allows for transparency with the adults in custody now. So, now they know they have a projected date on if they stay in program, if they continue to engage in positive behavior that those earned time credits are there.

Mr. MOORE. So, why are we keeping the prisoners in the dark on these? I think in some ways, that's a carrot that we can say, hey, at this point, we can move you along a little—you're making great progress. We always want to encourage folks who are trying to make the effort to correct their path. Any reason why we're keeping certain inmates or inmates in the dark on this?

Ms. PETERS. Congressman, you and I are aligned on this. I'm a behaviorist by training. It's absolutely a carrot which is why we have changed the practice now. So, now they're not in the dark. Now we're doing the automated projected earned time credits, and they're able to see that carrot—

Mr. MOORE. When did you all begin that?

Ms. PETERS. We have been working on automated time credits for over a year. It's been in the last few months that we've been doing the projected earned time credits.

Mr. MOORE. OK. To your knowledge based on participation of these programs facilitated under the First Step Act—yes, First Step Act—how many earned credits does Mr. Galanis—how much has he accumulated?

Ms. PETERS. I do not have that answer. We're happy to look into it and get back to you.

Mr. MOORE. OK. Thank you. With that, Mr. Chair, I yield back.

Mr. BIGGS. The Chair now recognizes Representative Dean.

Ms. DEAN. Thank you, Chair Biggs. Thank you for holding this hearing. Thank you, Representative McBath, for your leading role here.

In the absence of our colleague, I just want to take a couple seconds to also offer my thoughts and sympathy especially to Sheila Jackson Lee's family and her staff, her able staff, both here and in Houston. I feel so lucky that I had the chance to serve with her for 5½ years on this Committee and on this Subcommittee on crime. What a force.

The hardest working woman in Congress, everybody knows that. There wasn't an issue she didn't speak about. So, is already dearly missed, but her 30 years will live on for a long time. If I could begin.

Thank you very much, Director Peters, for being here. The BOP reports that 45 percent of Federal prisoners have mental health or behavioral problems. More than 30 percent struggle with substance use disorder. That's in line what I have heard when I was State Representative in Pennsylvania and when I spoke to Secretary Laurel Harry of the Pennsylvania Department of Corrections.

She estimated that roughly 35 percent of the people within her care struggle with mental health. At least 15 percent suffer from serious mental health problems. She said a majority, perhaps as high as 70 percent, grapple with addition substance use disorder.

Clearly, our inmates need comprehensive support because they are coming home. They will reenter our society, and we want that to be as successful as possible for them, for their families, and also to reduce recidivism. So, addition to mental health, what are the top things that the Bureau is doing or can do, especially if you had the resources, to aid inmates with mental health issues and substance issues?

Ms. PETERS. Thank you, Congressman. You're absolutely right. The numbers that you mention reflect what's in my recall. A large number of individuals suffer from mental health issues, alcohol, and drug addictions.

Many of those are drivers to incarceration. So, it's really our job to focus on getting them healthy, both physically and mentally, before they come back and become our good neighbors. So, all our institutions have doctoral level psychiatrists—or psychologists, excuse me. We have 500 psychologists and approximately 600 treatment specialists across the country who focus on this alone as well as residential and nonresidential alcohol and drug treatment.

Ms. DEAN. I appreciate that. You talked especially in your testimony about recruitment and retention. By way of staffing, how many staffers are you down? Then I'm wondering has there been any attempt in terms of compensation, attempted special pay increases for staff, for example, that we should know about because of our appropriations role and responsible? So staffing, how much are you down and what do you need in terms of appropriations and any special pay?

Ms. PETERS. Great. So, I'll start with the money. As I said in my opening comments, we paid over 128 million dollars last year in recruitment and retention incentives alone. We're working with the department and OPM specifically on a special salary rate.

Because as I've said before, these incentives are band-aids only. The bottom line is our employees are not getting paid enough. So, a special salary rate is really the long-term fix.

Ms. DEAN. What does that look like? What would a special salary rate look like?

Ms. PETERS. We estimate needing an additional 600 million dollars a year to have that salary rate accepted and have a competitive salary with other law enforcement agencies and the private sector.

Ms. DEAN. OK. Is that what is meant by a special pay increase? Is that what you're—

Ms. PETERS. Special salary rate, that's correct.

Ms. DEAN. OK. Thank you.

Ms. PETERS. We're asking for all the employees in our institutions.

Ms. DEAN. In terms of staffing, under the previous administration, how many staff members did you lose?

Ms. PETERS. That 2016 number keeps coming up. It was around 6,000, I believe. What we've really focused on is the fact that even though we have positional authority right now, we're not able to fill them all.

So, you asked about what is authorized and what is filled. We have over 20,000 authorized in the correctional officer series. If you look at boots on the ground, those correctional officers that you think of managing the units, we have about 14,900 authorized, and only 83 percent of those are filled.

We also had a contractor come in and do an assessment to figure out going forward how many do we need to safely operate our institutions. They're telling us we need an additional 4,000 correctional officers and another 2,500 healthcare professionals. They're going to complete their analysis this fall on the other employees that are working inside our institutions.

Ms. DEAN. Thank you for your leadership, and I hope those who appropriate the money for the Bureau, for your tireless staff—actually hear those words and meet the moment.

Ms. PETERS. Thank you, Congressman.

Ms. DEAN. Thank you.

Mr. BIGGS. The gentlelady's time has expired. Chair now recognizes the gentleman from South Carolina, Mr. Fry.

Mr. FRY. Thank you, Mr. Chair. I would yield my five minutes to the distinguished Member and future Governor of the State of North Dakota, Mr. Armstrong.

Mr. ARMSTRONG. Thank you. Where are you from in South Dakota?

Ms. PETERS. Milbank.

Mr. ARMSTRONG. Oh, fantastic.

Ms. PETERS. So not far from your border.

Mr. ARMSTRONG. Ninety percent of the people who are in custody and in the Federal system will be released?

Ms. PETERS. That's correct.

Mr. ARMSTRONG. That's why we're here. That is why it's important. You inherited a mess. You inherited a mess. We walked through—and there's not a lot of great stories over the last five years.

I think there are some, and I think it can also help. The CARES Act recidivism rate was 3.7 percent. That's roughly 10 percent of BOP at large, and it's statistically no different than traditional home confinement. Are my numbers accurate?

Ms. PETERS. The recidivism rate for CARES Act was about 4.4 percent is what I have, yes.

Mr. ARMSTRONG. The recidivism rate for First Step Act is about 35–37 percent lower than the BOP at large?

Ms. PETERS. That's correct.

Mr. ARMSTRONG. So, these programs work. So, when we're talking about staffing and I'm going to ask about the OPM salary thing in a second because there's another side to this, right? What percentage of people who you hire are gone within the first year? Do you know?

Ms. PETERS. I don't have that number, but it is an area of concern because we were able to onboard in 2022. We onboarded fewer than last. So, the good news for his year so far is that we've onboarded 1,400 and it's more than have left.

Mr. ARMSTRONG. I appreciate you saying you support the BOP oversight bill because it's not often we have somebody in here—there's some strict measures in there. You talked about augmentation and all those different issues. If you're hitting overtime at 5:00 p.m. on Wednesday, and you're committee is to working another two hours a week, and you have two kids at home that you haven't seen and you're working in a dilapidated facility.

People have to be locked up all weekend because you don't have enough staff to get them in there. Do you know what that creates? One, it's a terrible working environment outside of the pay.

It also creates recidivism. There are things the Federal system does really well. One of them is pretrial release. It's fascinating to me because it's almost counterintuitive.

It's less confrontational, more rehabilitative, life choice skills, all those different things. The problem is nothing you get taught in pretrial release you remember 10 years later when you get a 10-year minimum mandatory. Some of it is geographical.

One of the things the Federal prison system I don't think does very well and I think we have an opportunity to increase on it is reentry. The tools for reentry, we have a bill with David Trone, just to give everybody a BOP ID to set up a bank account, or to buy a bus ticket, or to get home. So, when we're talking about the First Step implementation, we talk about what happens when they get out.

What are you guys doing to implement—and this becomes more important because a lot of times people are not incarcerated locally. So, what are you doing, so meeting the good time credits and outside of staffing because I'm assuming staffing is a challenge to this. What are you doing to increase the ability of the people who qualify for video calls with family, telephone calls with family, all those different issues, because we know and the data supports the more

you do that, the less likely they're going to reoffend when they get out.

Ms. PETERS. So, you covered so much there.

Mr. ARMSTRONG. I'm taking everybody's time.

Ms. PETERS. Of course. As the Director of BOP and as the former Inspector General of the good State of Oregon, of course I support the Oversight Act. I understand the important role of the Inspector General. He and I work closely.

As it relates to release IDs, I had met with Congressman Trone many times. I'm proud to report to the Committee that all the BOP facilities now have the ability to issue an ID. So, individuals are actually leaving—in fact, since December 2023, we've generated over 6,500 release cards. As you all know, that's an incredible barrier to reentry.

As it relates to staffing inside our institutions, when I walk the halls of our institutions and we have great representatives from the union here in the room, they're exhausted. They tell me exactly the anecdotal stories that you just shared, that the families have pick up times figured out and who's cooking figured out. The Federal Bureau of Prisons messes it up regularly because of mandated overtime.

Mr. ARMSTRONG. We want to hold people accountable.

Ms. PETERS. Yes.

Mr. ARMSTRONG. We want them to serve their sentence.

Ms. PETERS. Yes.

Mr. ARMSTRONG. Ideally we'd prefer when they get out, they don't reoffend again right away.

Ms. PETERS. That's right.

Mr. ARMSTRONG. That is the officer safety. This is for everybody. This is the only adult population that the Federal Government is in charge of everything.

Ms. PETERS. Right.

Mr. ARMSTRONG. We have taken care, custody, and control of them. Whether it's a facility and everybody looks at it and says, I don't care what kind of room a violent criminal is in. The employees do.

If you're working in something that's 30 years old and across all of that, and if we don't retain employees because it's not just the number of employees. It's how many years of experience they have. That is the single best way to deliver all of the things we need to deliver and also ensure a safe and secure society. With that, I yield back. I'm sorry.

Mr. BIGGS. The gentleman yields back. The Chair recognizes the gentleman from Tennessee, Mr. Cohen.

Mr. COHEN. Thank you, sir. Director Peters, thank you for coming. Before I talk to you, I'd like to reflect a few of my thoughts about Chair Jackson Lee.

We sat together for nearly the entire 18 years I've been here side by side in the Judiciary Committee. She came to Memphis for a hearing. We had a field hearing and supported me. I went to Houston and supported her.

She was a dynamic figure and one of a kind. She was a force, and a force that soaked up as much information as she could to

help her people and justice as she saw it and did a marvelous job in Congress. She will certainly be missed. She was something else.

Director Peters, let me ask you this. I've not caught a lot of the hearing. So, I'm asking you something that's been asked before, just let me know that.

Following up on the Governor's questions, what does a person get when they're released from prison right now? You're talking about this card. What's such a big deal about giving somebody a card?

Ms. PETERS. It's such a big deal because it's a barrier to so many things, to getting a bank account when you get out, to being able to show formal ID to rent an apartment.

Mr. COHEN. I can see that they need it. Why is it such a problem to give it to them?

Ms. PETERS. So, it's been a barrier on so many levels because the way that the individuals get IDs when they get into the community is through the Department of Motor Vehicles. If you've been incarcerated for a while, you might not have that Social Security card. You might not have that birth certificate. So the Federal Bureau of Prisons' employees spends time sleuthing and getting those document, so that they do have them when they leave. Then, they also have an official ID that is being accepted in 26 States as these individuals come back into our communities.

Mr. COHEN. Then when they leave the prison system, are they just taken out the prison doors and released? Or are they given transportation back home? How is that handled?

Ms. PETERS. So, the majority of them not only receive transportation, but they receive transportation to a residential reentry center or to home confinement. So, I think the ability to take people who are still serving a sentence and have a step down for them in the community really proves beneficial so that they have a safe environment to try to reenter, but with wraparound services around them.

Mr. COHEN. Once they leave the Bureau of Prison and they go to these programs which are available to them, Bureau of Prisons is totally out. You all don't have any—you don't give them any money to have an opportunity to buy some things when they get out or any credits?

Ms. PETERS. We encourage people to save money on their account for reentry purposes. When they're in the residential reentry center or on home confinement, they're still sentenced to the Bureau. So, they're still under our custody which is why it's a great step down. It isn't until their sentence expires that then we hand them off to pretrial for supervision—or probation—

Mr. COHEN. On Saturday, I went to Payne's Bar-B-Que in Memphis and a man came up to me. After shaking my hand for the longest period of time I've ever had my hand shaken, a big man. Anyway, he came up to me afterwards at lunch and he said, I just spent 15 years in the Federal system, and I want to start a reentry program. How does somebody start a reentry program from Federal prisoners?

Ms. PETERS. So, they would be able to reach out to our procurement staff and be able to share what their reentry idea is. Our procurement staff would be able to point them in the right direction.

Mr. COHEN. So, they go to the Federal Correctional Facility in Memphis?

Ms. PETERS. No, I would refer them to our procurement staff at headquarters.

Mr. COHEN. OK, OK. They need something. Representative Armstrong was getting close to an idea they just can't leave them there. They need help so they don't commit crimes when they're released. Has there been any privatization of any Federal services, prisons?

Ms. PETERS. So, we had engaged in 11 contracts with private prisons. Based on the President's Executive Order, we no longer engage in any of those contracts.

Mr. COHEN. I'm not for private prisons. I think it's the government's responsibility. A lot of States have done it. What's been experience with private prisons?

Ms. PETERS. So, I'm previously the Director of the Oregon Department of Corrections. That was actually statutorily prohibited in Oregon. So, it wasn't something I was familiar with there. Then, of course, the Executive Order was in place when I arrived in this role. We successfully complied with the Executive Order's time-frame and ended those contracts.

Mr. COHEN. Thank you. Compassionate release, that's a program I've been interested in as well. What have you done to streamline the compassionate release program and get more people that are old as hell who are not going to be able to or want to commit a crime again out of the system and home?

Mr. BIGGS. The gentleman's time has expired, but you may answer the question.

Ms. PETERS. Thank you. Then in the interest of time, I'll say I think the most prominent expansion that we've engaged in this last year has been to be able to include confirmed victims of sexual assault inside our institutions for compassionate release. That was part of the U.S. sentencing guideline changes.

Mr. COHEN. Did you say victims of sexual assault? OK.

Ms. PETERS. Confirmed victims of sexual assault on our watch that they're now able to apply for—and then I think it's important for the Committee to understand I can recommend to the courts for compassionate release. That decision ultimately rests with the courts. I think that's a really important expansion of compassionate release that we've engaged in this last year.

Mr. COHEN. If I may—

Mr. BIGGS. Gentleman's time is expired. The Chair recognizes the gentleman from Georgia, Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Chair. Director Peters, thank you for your work as Director of the Federal Bureau of Prisons. The people you house in your facilities are there for a limited period before they reenter society.

As someone who believes that everyone deserves a second chance, that is what I am most interested in. So, I want to jump right in and ask you about how well the prison system is working when it comes to rehabilitation and reentry. I believe it's imperative that we equip inmates with the tools they need to succeed on the outside.

Doing that will help them be engaged productive members of society. It is what will keep them from entering recidivism. Can you

please talk about the programs that you have inside the prison walls that help with rehabilitation? Do you have enough staffing and resources to run these programs effectively?

Ms. PETERS. So, we have over 115 evidence-based recidivism reduction programs now. As I walk the halls of our institutions, there's a lot of creativity about even expanding those. So, everything from mental health treatment to alcohol and drug treatment, to anger management, to cognitive behavioral therapy, residential alcohol and drug programs, nonresidential, so a plethora of programs.

We believe at the Bureau that the conversation around reentry begins on day one to get them prepared to become those good neighbors as you say. Do we have enough staff? No. Are they being paid enough? No.

Mr. JOHNSON. I was proud that that the bipartisan First Step Act was signed into law back in 2018, which contained both sentencing and prison reforms aimed at recidivism reduction. It's the most significant bipartisan criminal justice reform legislation in a generation. The First Step Act provides that those serving sentences have the opportunity to earn good time credits for participating in recidivism reduction programs and related activities.

For qualifying low-level offenders, those time credits will result in early release. Also, there are other changes to the good time credit calculation. There are some other things in the First Step Act about having to do with when the sentence was first commenced. Can you talk about how you calculate those earned time credits for persons who are in prison at the time the First Step Act passed?

Ms. PETERS. Yes, so originally when the First Step Act passed, it was a manual calculation which caused a lot of labor and a lot of confusion among the population. So, we have now automated the earned time credits. Just recently in the previous months, not only have we automated the earned time credits, we're actually projecting out what their release date might be as we talked about earlier as a carrot so that people understand if they continue to engage in programming and treatment, if they continue to have good conduct inside the institution, then they know what their earliest release could be.

You mentioned how many people are released and the recidivism rate. Under the First Step Act, we've already released over 35,000 individuals with a recidivism rate of just 9.7 percent. So, you're correct. It is working.

Mr. JOHNSON. Thank you. What actions has BOP taken to ensure that risk and needs assessments are conducted as required and that there are sufficient evidence-based recidivism reduction programs available to meet the needs of all incarcerated people?

Ms. PETERS. Yes, so we have over 150 evidence-based recidivism reduction programs and productive activities right now. We are working to expand those every day. As I walk the halls of our institutions, the creativity that I'm seeing around advancing additional programs is great.

I mentioned earlier that I just visited our prison in Milan, Michigan, which happens to have the only Federal prison with a high school inside of it. So, you can get not just a GED but a high school

diploma. They had over 15 apprenticeship programs at that one facility. So, people are taking—we say the First Step Act is part of who we are, part of our daily life now. You see that when you walk the halls of our institutions.

Mr. JOHNSON. Thank you. With that, I yield back.

Mr. BIGGS. The gentleman yields back. Chair recognizes the gentlelady from Florida, Ms. Lee, for five minutes.

Ms. LEE. Thank you, Mr. Chair, for having this hearing. Director Peters, thank you for being here with us today and for your testimony about your work with the Bureau of Prisons. The last time you were here with us, one of the things that we discussed were the conditions at FCI Dublin and the incidents of the abuse of female prisoners.

You shared with us your plans to ensure that oversight and accountability were brought to that facility. Of course, since that time, the facility has been closed. Would you share with us more about your efforts in that regard and where the women who were housed at FCI Dublin are now?

Ms. PETERS. Thank you, Congresswoman. So, as we spoke previously, we poured so many resources into that institution in hopes that it would succeed, additional staffing, additional incentives, additional psychologists, trauma informed training, and gender responsive training. We changed the executive team three times over and unfortunately concluded that it still was not meeting expectations.

So, we temporarily closed it. We did move individuals to other female facilities. For those individuals that had less than five months on their sentence, we moved them to SeaTac, our facility in Washington to ensure that they were close as they could be to family. Others have been distributed throughout the country at other female facilities.

Ms. LEE. You also mentioned earlier some of the changes that you've made internally to increase accountability and prosecutions for those who do commit these types of violent acts against people who are in custody. Specifically, you touched on a very large increase in the number of people assigned to internal affairs and changing the reporting process to not go through a warden but instead go straight to headquarters. Would you give us a summary of your assessment?

Are those changes working? Were the people who committed these crimes at FCI Dublin held to account? Would you share with us your perspective on what has been done to ensure this type of treatment of female inmates doesn't reoccur?

Ms. PETERS. I think it starts exactly where you're at, employee accountability. For the record, I'd like to say the super majority of our employees come to work every day doing the right thing, are ethical, and are as disappointed as you and I are when people engage in this type of egregious misconduct. So, the realignment that you talk about, the additional staff that we brought on is working.

We've closed—since August 2022 when I started, we've closed over 9,500 open matters in the Office of Internal Affairs. We have seen more prosecutions. There are still investigations pending out of Dublin. We may see more.

I've worked very closely with the U.S. Attorney's as has the Deputy Attorney General to ensure that they're prosecuting these cases. The importance of holding people accountable is so important. Then we've done so many other things.

We work closely with the Inspector General who is engaged in unannounced visits. The Office of the Deputy Attorney General has created SAFER teams that have now visited every single one of our female facilities. We've done cultural assessments now at all our female facilities to see if we can see warning signs, so we don't ever get to a place again where we have a culture that is as egregious as the one at Dublin. As I mentioned earlier, I am pleased with the passage of the Oversight Act which will shepherd forward more announced and unannounced visits from the Inspector General, because I actually believe we can't do this work alone.

Ms. LEE. I was interested in exactly that point. What about the Federal Prison Oversight Act do you believe that there are provisions in there that are going to be specifically impactful? Of course, I am very pleased to see it pass the House, pass the Senate. Are there provisions there that you think will help prevent further abuse of women who are in custody?

Ms. PETERS. I do because the act really enhances what's already happening with the Office of the Inspector General. It just allows for more of the unannounced visits, using data to look at any concerns that we have so that we can see a culture change before it gets into a more difficult place. So, we'll be seeing more announced visits, more unannounced visits from the Inspector General. Then I think the ombudsman position is very powerful as well for it to have a place where individuals can bring forward complaints and somebody there to ensure that those complaints are asked and answered.

Ms. LEE. What about women in custody who are feeling threatened or are in danger? What options do they have to ensure that their concerns are heard and that they are kept safe?

Ms. PETERS. So, it's our obligation to create a culture where they feel safe coming forward. That's one of the things that we really work on with our trauma informed care and our gender responsivity. They have the right to come forward to any employee that they feel safe talking to. They also have the ability to contact the Inspector General through anonymous channels to be able to report any complaints or concerns that they have.

Ms. LEE. Thank you, Mr. Chair. I yield back.

Mr. BIGGS. Thank you. The Chair recognizes himself for five minutes of questions. Director, I've received certain reports that more than 60,000 First Step Act eligible inmates in the system face significant delays in their prerelease to a halfway house or final release to freedom because there's not full compliance or you haven't been able to fully comply with the First Step Act yet.

There are estimates that these delays range from 3-6 to even as much as 12 months depending on the length of sentence which may be costing the taxpayers as much as five billion dollars according to estimates. So, I'm going to ask you today is that do those numbers sound accurate to you? Are they accurate?

Ms. PETERS. I'd want to confirm with my team on the accuracy of the numbers. Anecdotally, that is what I'm hearing when I walk

the institutions. There's a lot of frustration with the adult in custody population about them already qualifying for an RRC.

We simply don't have the capacity in the community. So, you're raising a very important point. The residential reentry center program was created before FSA. Before FSA, people would spend weeks or months in an RRC.

Now, they qualify for months and years in a Residential Reentry Center. So, we are at capacity. Right now, my team is assessing what that future need will be in terms of resources for Residential Reentry Centers.

Mr. BIGGS. So, there's been a long promise but much delayed conditional maximum FTC calculator. What's the delay on that? Is that happening? When can we anticipate that?

Is there a way for you to commit? I'd like you to commit to get that up and running within the next 60 days. Tell me what's going on with that, please.

Ms. PETERS. So, Congressman, that was the case. It's now the earned time credit calculator.

Mr. BIGGS. Right. Projected earned time credit calculator.

Ms. PETERS. It's fully operational. Any errors that we're hearing about now are because of human input into the system, not because the earned time credit calculator is broken. Then, just recently in the last few months, we have expanded the earned time credit calculator to do a full on projection so that people can see if they behave in prison, if they stay in programming and treatment, their earliest release date is X.

Mr. BIGGS. So, thank you for that, and I'm going to leave that topic for a second. We can maybe talk more about that later offline. We've requested a number of items of information and requested some recorded transcribed interviews with the guard in Pensacola and the two wardens in Pensacola related to the Galanis case.

We've not been able to have those interviews yet. Before we finish today, I want to ask you for that commitment. There's also a series of other items, and I'm going to run through those real quickly.

We requested and subpoenaed information on the following. We received less than fulsome responses to some of them. The policies, procedures, and communications regarding Galanis' application for CARES Act home confinement, we received a little bit on that.

We expect more, all coordination between staff members of BOP and the U.S. Attorney's Office for the Southern District of New York, and DOJ in that case, again, the information regarding the allegations of sexual assault and sexual harassment perpetrated against Galanis by a BOP staff member. Then I want to ask you—and then there's several other things. I'll get to those in a second if I've got time. I want to ask you, are you aware the requirements of the Prison Rape Elimination Act? I'm sure you are.

Ms. PETERS. Yes.

Mr. BIGGS. What is the standard operating procedure of the Bureau for women inmate reports being sexually assaulted by BOP personnel?

Ms. PETERS. So, we take all allegations of sexual assault very seriously. They're referred to the Office of Internal Affairs. If there's

any suspicion of criminal misconduct, it's referred to the Office of the Inspector General.

Mr. BIGGS. So, is the only procedure at that point is a referral to IA?

Ms. PETERS. OIA.

Mr. BIGGS. OIA.

Ms. PETERS. Then OIG.

Mr. BIGGS. There's no immediate movement of that personnel from one area to another?

Ms. PETERS. Oh, yes. There absolutely could be, yes.

Mr. BIGGS. I want that as well, please.

Ms. PETERS. Yes, so we do an assessment around safety, both for the victim—safety for the victim and safety for other individuals in the institutions.

Mr. BIGGS. So, how quickly is it for an inmate to be removed from the facility?

Ms. PETERS. It's common practice for the victim to be moved in short order or the employee moved in short order.

Mr. BIGGS. So, when you say short order, what are we talking about?

Ms. PETERS. Sometimes it could be immediate, Congressman.

Mr. BIGGS. OK. Let's see here. I want to see here. There was a judge in Kansas. My time is expired. I'm going to send you some written questions as well, OK, that we're going to want answers to because I want to respect everyone's time here.

So, I'll send you some written questions. I would, again, get back to the less than fulsome answers we received on the request for documents and answers that we've sent. Director, I would ask that you get your team on that right away, so we get that information in and appreciate you being here today. With that, this Committee is adjourned.

Ms. PETERS. Thank you, Congressman. Thank you, members.

[Whereupon, at 12:37 p.m., the Subcommittee was adjourned.]

All materials submitted for the record by Members of the Subcommittee on Crime and Federal Government Surveillance can be found at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=117533>.