



U.S. Department of Justice
Federal Bureau of Prisons

**FY2010
CONGRESIONAL
BUDGET**



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

The Bureau of Prisons (BOP) was established in 1930 to provide more progressive and humane care for Federal inmates, to professionalize the prison service, and to ensure consistent and centralized administration of the 11 Federal prisons in operation at that time (now 114). The mission of the BOP, an agency of the Department of Justice (DOJ), is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.usdoj.gov/jmd/2010justification/>.

The BOP's biggest challenge is managing the ever increasing Federal inmate population, and providing for their care and safety in crowded conditions, as well as the safety of BOP staff and surrounding communities, within budgeted levels. The average net increase in the inmate population over the past five fiscal years (FY 2004 – FY 2008) is close to 6,000 per year. However, in FY 2008 the inmate population increased by a net of 1,648 new inmates. The unusual slow growth of that year is attributed to inmates receiving sentence reductions, many resulting in immediate release, because the U.S. Sentencing Commission changed sentencing guidelines to retroactively re-sentence inmates convicted of crack cocaine offenses. The effect of this change is mostly realized in FY 2008, and a net growth of nearly 4,500 inmates is projected for the next several years.

BOP strives to accommodate inmate population growth with a combined use of state, local and private sector contract beds, facility expansion, and construction of new prisons. The size of the BOP inmate population exceeds the rated capacity of its prisons. Rated capacity is the baseline used to calculate prison crowding, and is essential to managing the BOP's inmate population to distribute the population throughout the system efficiently and equitably. The calculation for determining rated capacity involves stratified double bunking across all security levels and includes the follow formulas: minimum and low security institutions 100% double bunking; medium security institutions 50% double bunking, and: high security institutions 25% double bunking.

BOP facilities are very crowded -- 36 percent above rated capacity system-wide as of April 16, 2009. Over 167,700 of the current Federal inmate population are in facilities operated by the BOP, which are intended to house only about 123,000. The remainder, over 36,800 or 18 percent, are in contract care consisting of privately operated secure facilities, facilities managed by state and local governments, residential reentry centers, or home confinement. The percentage of inmates in contract care is up from 1.5 percent in 1980, 10.7 percent in 1990, to 18 percent currently. Future population, capacity, and crowding projections are shown on the next page:

Projected Population, Capacity, and Crowding

	2007 (Actual)	2008 (Actual)	2009	2010
BOP Facilities				
Starting Capacity	119,510	122,189	122,366	123,525
Approved/Planned	2,679	177	159	2,008
Subtotal Capacity	122,189	122,366	123,525	125,533
Pop. Projection	167,323	165,964	169,160	173,157
Percent Overcrowded	37%	36%	37%	38%
Contract	32,697	35,704	37,005	37,505
Percent Contract	16.3%	17.7%	17.9%	17.8%
Total Federal Prison System Population	200,020	201,668	206,165	210,662

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

The Department completed activation of the Asset Management Plan (AMP) system achieving compliance with the Real Property Management initiative from OMB. The AMP inventories all real property and related information and tracks repair needs. This significant DOJ accomplishment is due, in large part, to the hard work of BOP staff, as the Federal Prison System accounts for approximately 90 percent of all of DOJ's capital assets.

In FY 2006, the Criminal Alien Requirement (CAR) V contract (1,200 new beds for criminal aliens) was awarded. The CAR VI contract was awarded in January 2007 to five offerors to house low security criminal alien inmates currently under BOP custody. Finally, the BOP has completed construction, on-time and within budget, of 14 new prisons during FY 2004 through FY 2007, including: 11 new medium and high security facilities in FY 2004 and FY 2005; two new facilities in FY 2006; and FCI Pollock, LA was completed in February 2007.

FY 2010 Total Bureau of Prisons Request by DOJ Strategic Goal

The BOP's mission plays a direct role in supporting DOJ, Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice. For FY 2010, a total of \$96,744,000, with 284 positions and 268 FTEs is requested for the B&F appropriation to support the Department's Strategic Goal to:

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

Full Program Costs

The BOP's budget integrates both DOJ and BOP Strategic Goals and Objectives. Each performance objective is linked with the costs of critical strategic actions. The 2010 B&F budget request includes resources to continue the New Construction base programs and provides a small amount for the most critical modernization and repair needs of existing institutions.

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

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

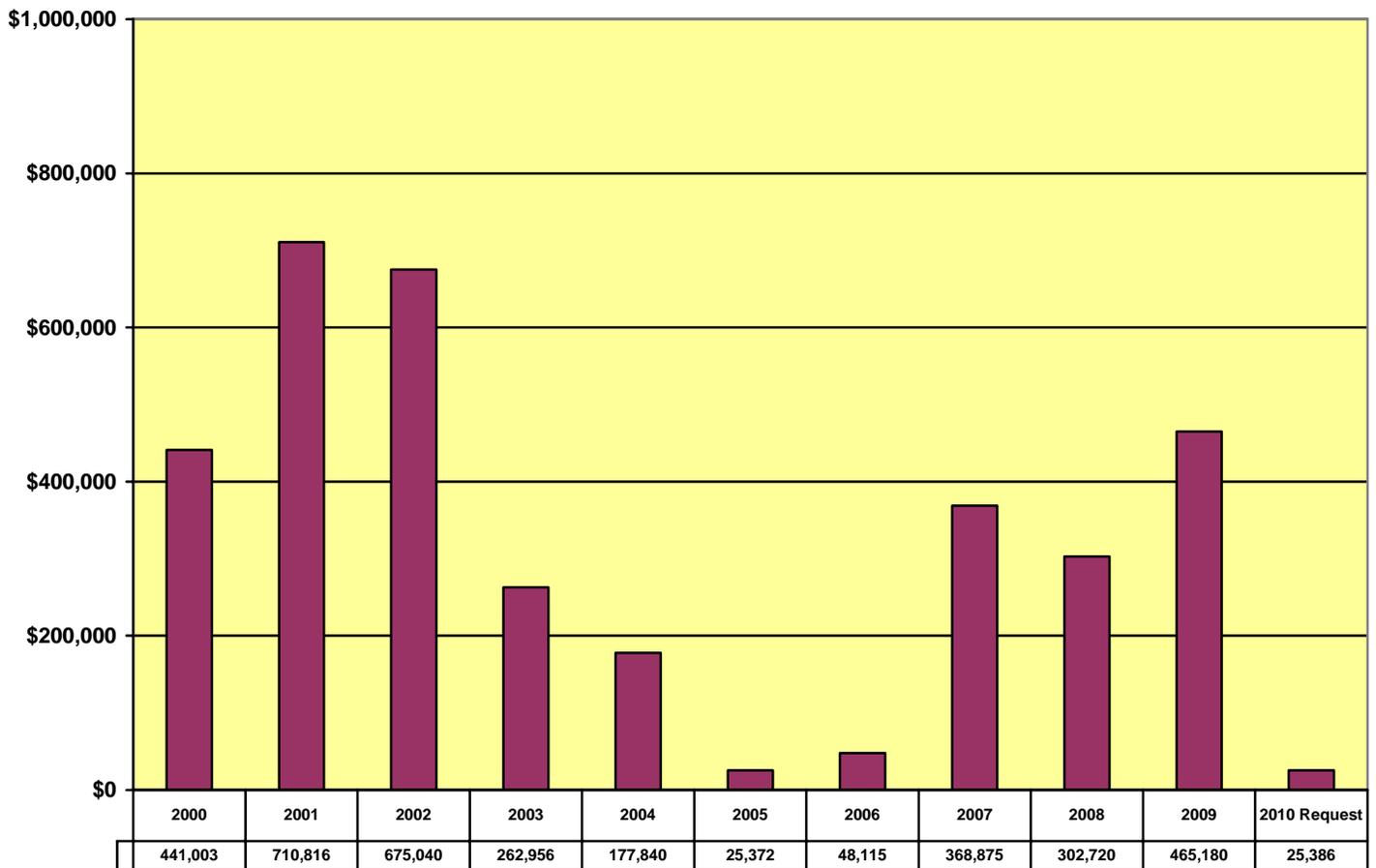
Both performance and resource tables within each decision unit justification define the total costs of achieving the strategies the BOP will implement in FY 2010.

FY 2010 Budget Request by Decision Unit

New Construction Base Funds: \$25,386,000

For FY 2010, \$25,386,000 in New Construction base funds are required to provide for ongoing expenses within the decision unit. New Construction base resources are essential to the program and are required for the Oklahoma Transfer Center lease payments (approximately \$10 million/year); salaries and administrative costs of architects, project managers, site selection, procurement, and other staff necessary to carry out the program objective; environmental requirements and geo-technical exploration; construction of inmate work program areas; expansion/conversion projects i.e. additional special housing unit space; and any unforeseen preliminary project costs issues which can arise and are not included in the individual project cost estimate. Further, new construction base funds are utilized when site investigations are required for a project in which a specific location has not yet been identified. The following chart shows the history of New Construction funding levels from FY 2000 to the FY 2010 request.

New Construction Funding (\$000)



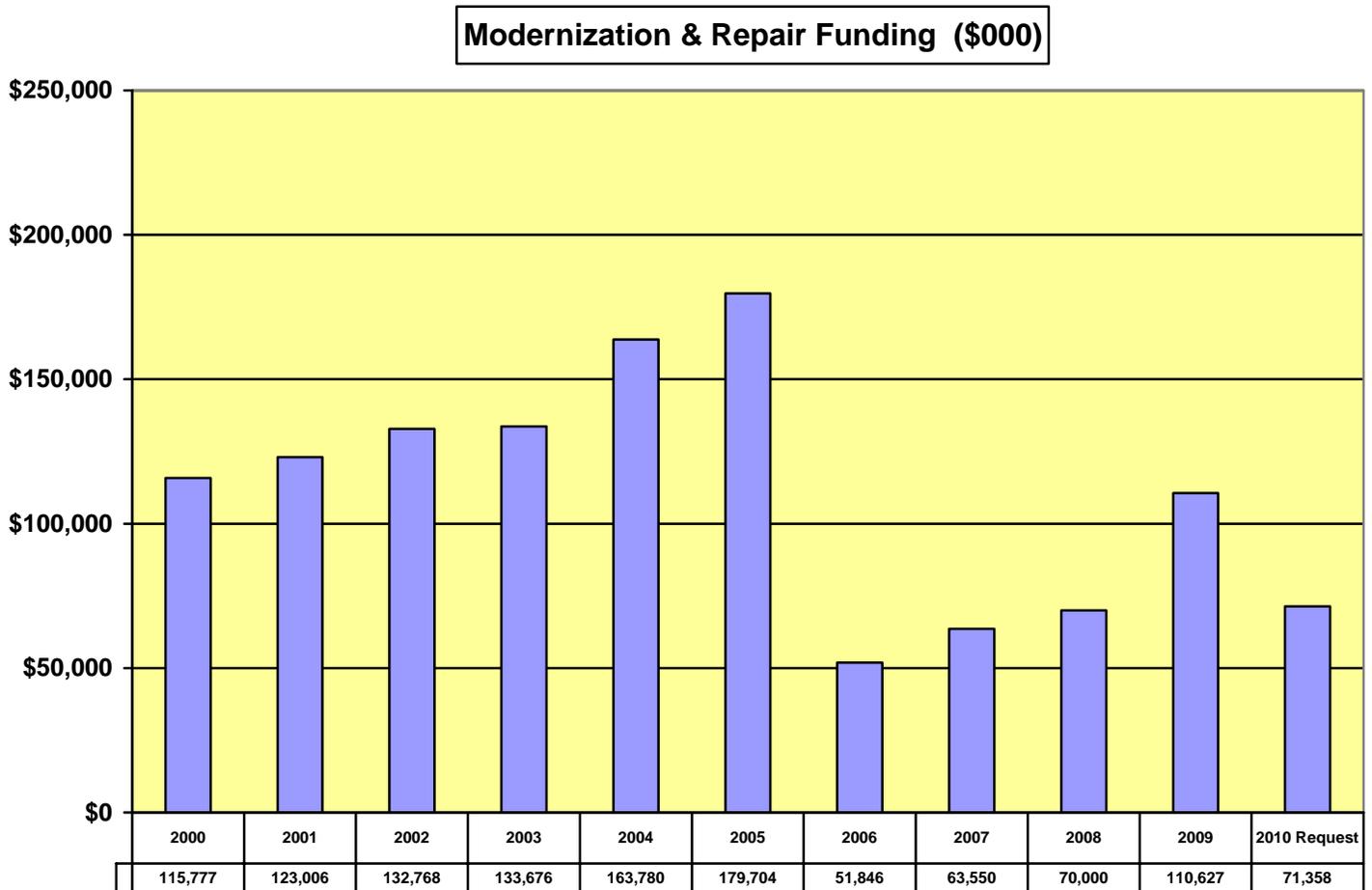
Modernization and Repair: \$71,358,000

It is extremely important that sufficient funding for the M&R program be provided to address the most critical repair and safety projects in order to maintain Federal prisons. For FY 2010, an M&R base amount of \$71,358,000 is requested. This level for M&R will fund some of the most basic repairs of BOP's aging facilities' infrastructures.

The M&R program provides the necessary resources to undertake essential rehabilitation, renovation and replacement projects at existing institutions to ensure that structures, utilities systems, and other plant facilities are kept in an adequate state of repair.

The BOP strives to follow the recommendations of the Federal Facilities Council (FFC), which recommends that facilities maintenance programs should be funded at a minimum of 2 to 4 percent of their replacement value. The replacement value methodology for annual M&R funding requests was first implemented in FY 2000, and should ensure a reliable funding stream to extend the useful life of BOP institutions.

Delays in completing needed repairs would increase the number and cost of unfunded projects as well as contribute to additional deterioration of BOP's aging and inadequate infrastructures. M&R is essential to institution security because deteriorated facilities can add to increased risk of escape, inability to lock down cells, or violence due to inadequate living conditions. The chart below shows the history of M&R funding levels from FY 2000 to the FY 2010 Request.



Challenges

The major challenge the BOP continues to face is how to care for and manage the increasing Federal inmate population, while maintaining appropriately safe and secure prisons. The system-wide crowding level in BOP facilities is currently 36 percent above rated capacity, and is estimated to climb to 38 percent by the end of FY 2010.

The most significant increases in the inmate population have occurred in the last two decades. While the BOP is no longer experiencing the dramatic population increases of

between 10,000 and 11,400 inmates per year that occurred from 1998 to 2001, the increases are still significant, and a net growth of 4,500 inmates is projected for the next several years.

One-third of the BOP's 114 institutions are over 50 years old (34 as of March 2009). The BOP prioritizes its major M&R projects (typically those of about \$300,000 or more) so that only the most critical are funded first in order to maintain safe and secure facilities. Additional resources are required to reduce the backlog and fund some of the critical and failing infrastructure needs such as roof repairs and perimeter fence security systems. Maintaining sufficient M&R resources is essential to ensuring BOP facilities are kept in an adequate state of repair for the safety of staff, inmates, and the surrounding communities. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair. This is particularly important given the Administration's emphasis on agency asset management planning processes.

It has been particularly challenging to manage the Federal prisoner population at higher security levels. It is important to note that at the medium security level, more than half of the inmates are drug traffickers or weapons offenders, nearly 80 percent have a history of violence, and the average sentence exceeds 10 years. At the high security level, more than 70 percent of the inmates are drug offenders, weapons offenders, or robbers and another 14 percent have been convicted of murder, aggravated assault, or kidnapping, and the average sentence exceeds 15 years. Also, more than 60 percent of high security inmates have been sanctioned for violating prison rules, and nearly 90 percent have a history of violence.

Further, with the War on Terrorism, the BOP's work has taken on significantly greater risks with the incarceration of high-profile convicted terrorists such as: Zacarias Mossaoui, Nidal Ayyad (World Trade Center Bomber), Terry Nichols, Sheik Rahman, Richard Reid, and Ramzi Yousef.

III: Appropriations Language and Analysis of Appropriations Language

Appropriations Language

The 2010 budget estimates include proposed changes in the appropriation language listed and explained below. New language is italicized and underlined, and language proposed for deletion is bracketed.

Buildings and Facilities

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, [~~\$575,807,000~~] *\$96,744,000*, to remain available until expended, of which not less than [~~\$110,627,000~~] *\$71,358,000* shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation. (Department of Justice Appropriations Act, 2009.)

Analysis of Appropriations Language

No substantive language changes proposed.

U.S. Department of Justice

IV. Decision Unit Justification

A. New Construction

New Construction TOTAL	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	136	115	\$302,720
2008 Supplementals	0	0	0
2008 Enacted w/Rescissions & Supps.	136	115	302,720
2009 Enacted	152	134	465,180
Adjustments to Base and Tech. Adj.	(9)	(9)	(439,794)
2010 Current Services	143	125	25,386
2010 Program Increases	0	0	0
2010 Request	143	125	25,386
Total Change 2009-2010	(9)	(9)	(439,063)

1. Program Description

New Construction

For FY 2010, \$25,386,000 in new construction base funds are required to provide for ongoing expenses within the decision unit. New Construction base resources are essential to the program and are required for the Oklahoma Transfer Center lease payments (approximately \$10 million per year); salaries and administrative costs of architects, project managers, site selection, procurement, and other staff necessary to carry out the program objective; environmental requirements and geo-technical exploration; construction of inmate work program areas; expansion/conversion projects i.e. additional special housing unit space; and any unforeseen preliminary project costs issues which may arise and are not included in the individual project cost estimate. Further, new construction base funds are utilized when site investigations are required for a project in which a specific location has not yet been identified.

The BOP is at the end of the administration of justice pipeline. Most criminal justice agencies have some degree of discretion in controlling their workloads, typically through priority systems developed to ensure that the most important cases are handled first. However, the BOP has no choice but to accept all inmates sentenced to confinement by the Federal courts. In addition, in accordance with the D.C. Revitalization Act of 1997, the BOP must accept responsibility for the District of Columbia sentenced felon population.

The BOP continuously reviews capacity requirements, considers the current and projected inmate population levels, current law enforcement initiatives, geographic origin of the confined population, and the age and condition of existing facilities. As Federal

inmate population levels are projected to continue increasing, every possible action is taken to protect the community, while keeping institutional crowding at manageable levels to ensure that Federal inmates continue to serve their sentences in a safe and humane environment.

The BOP strives to accommodate its population in the safest and most cost effective manner. Increased capacity is accomplished through the utilization of contract facilities, expansion of existing facilities, acquisition and conversion of military and other properties to prison use, and the ongoing design and construction of new prisons, consistent with the capacity plan.

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

The major challenges in managing the Federal prisoner population stem from prison overcrowding particularly at higher security institutions. It is important to note that at medium security levels, more than half of the inmates are drug traffickers or weapons offenders; nearly 80 percent have a history of violence; and the average sentence exceeds 10 years. At high security levels, more than 70 percent of the inmates are either drug offenders, weapons offenders, or robbers, and another 14 percent have been convicted of murder, aggravated assault, or kidnapping. At the high security level, the average sentence exceeds 15 years. Also, more than 60 percent of high security inmates have been sanctioned for violating prison rules and nearly 90 percent have a history of violence.

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

- (1) The cost estimates appearing on the Status of Construction exhibit are preliminary and are updated periodically based on the following factors: when full construction funds are anticipated to become available; geographic location; historical and projected cost escalation; and allowances for uncertainty as to actual sites to be developed. Preliminary estimates in this budget have increased primarily due to when full construction funds are anticipated to become available and based on security level and capacity changes noted on the next page. Preliminary cost estimates historically increase (approximately 5% or more) each year until full funding is provided for projects and construction contracts can be awarded.

(2) Due to the projected high levels of overcrowding in U.S. Penitentiaries (USP), the BOP has reevaluated and revised the Capacity Plan to include more high security institutions. In order to accommodate the projected increase in the inmate population at USPs, the BOP made the following project changes: Federal Correctional Institution (FCI) Western with camp 1,408 beds was changed to USP El Reno (Western) with camp 1,216 beds; FCI Bennettsville II, SC with camp 1,408 beds was changed to USP Bennettsville, SC with camp 1,088 beds; FCI Letcher County, KY 1,408 beds was changed to USP Letcher County, KY with camp 1,216 beds. Finally, given the 1,792 new beds under development for the female population at Secure Female FCI Aliceville, AL and the Waseca conversion, the previously planned Secure Female Unit in the North Central Region and Secure Female FCI Florida would have lower priority than the need for higher security male projects in those same regions. Thus, the two female facilities were changed to male FCIs.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: New Construction

DOJ Strategic Goal/Objective: 3.3

Workload/Resources		Final Target		Actual		Projected		Changes		Requested (Total)	
		FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Workload:											
1. Number of beds added (BOP facilities)		1,664		177		1,159		849		2,008	
2. End of Year Capacity (BOP facilities)		123,853		122,366		123,525		2,008		125,533	
Total Costs and FTE		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		258	\$372,720	258	\$372,720	277	\$575,807	(9)	(\$479,063)	268	\$96,744
TYPE/ STRATEGIC OBJECTIVE	Performance	FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity		115	\$302,720	115	\$302,720	134	\$465,180	(9)	(\$439,794)	125	\$25,386
Performance Measure	3. Number of Environmental Impact Studies/Environmental Assessments completed	2		2		2		2		4	
Performance Measure	4. Number of major construction awards	1		1		2		(2)		0	
OUTCOME	5. Number of facilities completed	0		0		0		3		3	
OUTCOME	6. System-wide crowding level *	39%		36%		37%		1%		38%	

Data Definition, Validation, Verification, and Limitations:

Data Definition: The number of beds equates to rated capacity. Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a higher staff-to-inmate ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, highest staff-to-inmate ratio, close control of inmate movement. For new construction projects, a Notice to Proceed (NTP) is issued by the contracting officer, shortly after award of a design-build contract. The NTP authorizes the contractor to begin work under the contract, initially the start of design. Mission critical facilities are all existing BOP institutions.

Data Collection and Storage: Data are gathered from several computer systems. Each project is assigned a specific project code. Each obligation and expenditure is entered into FMIS by the specific project code. . Award of a

design-build contract for new construction projects are maintained and monitored through the BOP's fund control system and DOJ's FMIS. The status of all critical mission facilities are maintained in the BOP's on-line system (SENTRY) as well as the daily generated prisoner population reports.

Data Validation and Verification: Within BOP headquarters, staff retrieve and verify data on a daily basis, analyze it, and formulate reports and projections. Subject matter experts review and analyze population and capacity levels daily, both overall and by security level. The BOP Capacity Planning Committee (CPC), comprised of top BOP officials, meets bi-monthly to review, verify, and update population projections and capacity needs for the BOP. Purchase requests for design-build contracts are approved by specific project management staff (based on dollar threshold limitations); commitments are entered into a computer based fund control system; and purchase requests are forwarded for procurement action. Once the procurement office awards a contract/purchase order, the obligation is entered into the DOJ FMIS. Each month, FMIS obligations are reconciled with the BOP's fund control register by project, and forwarded to the Central Office Finance Branch, Business Office, to ensure accuracy and compliance. The contracting officer issues the NTP, shortly after award of a design-build contract. The award of a contract is based on completing the procurement of the contract and receipt of the necessary environmental or political requirements or clearances.

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

PERFORMANCE MEASURE TABLE

Decision Unit: New Construction

Performance Report and Performance Plan Targets		FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008		FY 2009	FY 2010
		Actual	Target	Actual	Target							
Performance Measure	Number of Environmental Impact Studies/Environmental Assessments completed.	10	0	0	1	1	1	0	2	2	2	4
Performance Measure	Number of major construction awards	3	2	2	0	1	0	2	1	1	2	0
OUTCOME Measure	Number of facilities completed	3	2	2	9	1	2	1	0	0	0	3
OUTCOME Measure	*System-wide Crowding in Federal Prisons	32%	33%	39%	41%	34%	36%	37%	39%	36%	37%	38%

* Denotes inclusion in the DOJ Annual Performance Plan

3. Performance, Resources, and Strategies

The New Construction decision unit contributes directly to the Department's Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice.

a. Performance Plan and Report for Outcomes

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

In FY 2008, construction of an expansion (housing unit) at FCI Otisville, New York was completed.

In FY 2009, the activation process of FCI Pollock, Louisiana is continuing, construction of this facility was completed in February 2007.

For FY 2010, the BOP continues development of various ongoing construction projects .

For FY 2008, BOP's inmate population was 3 percent above target for system-wide crowding. Population projections for FY 2009 to FY 2010 are based on data and information from a variety of sources including the Administrative Office of the U.S. Courts, U.S. Sentencing Commission, the Executive Office for United States Attorneys, the Office of the Federal Detention Trustee, the Drug Enforcement Administration, the Federal Bureau of Investigation, and the BOP's own information system (SENTRY). The FY 2009 crowding target is 37 percent and the FY 2010 crowding target is projected to increase to 38 percent.

b. Strategies to Accomplish Outcomes

The BOP strives to acquire needed capacity through a multi-pronged approach of contracts with private providers of correctional services, with state and local governments, expansion of existing facilities and construction of new prisons.

The BOP completed construction of 11 new medium and high security facilities in FY 2004/FY 2005, completed one in January 2006 (FCI Butner, NC) and one in April 2006 (SFF Hazelton, WV). In addition, FCI Pollock, LA was completed in February 2007. BOP continues to contract out for special population low and minimum security inmates. On April 16, 2008, 36,836 inmates (18 percent) were housed in contract confinement. This is an increase from 14.9 percent at the end of FY 2005, 15.6 percent at the end of FY 2006, 16.3 percent at the end of FY 2007, and 17.7 percent from the end of FY 2008.

B. Modernization and Repair

Modernization and Repair TOTAL	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	141	143	\$ 70,000
2008 Supplementals	0	0	0
2008 Enacted w/Rescissions & Supps.	141	143	70,000
2009 Enacted	141	143	110,627
Adjustments to Base and Tech. Adj.	0	0	(39,269)
2010 Current Services	141	143	71,358
2010 Program Increases	0	0	0
2010 Request	141	143	71,358
Total Change 2009-2010	0	0	(39,269)

1. Program Description

Modernization and Repair

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

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

One-third of the BOP's 114 institutions are over 50 years old, and most have not undergone major renovations from the time they were constructed or acquired and converted to prison use by the BOP. Each facility has numerous buildings, as well as inmate living quarters on the compound, many of which require extensive work to maintain an adequate state of repair to assure that they meet established standards. Prison facilities are subjected to much heavier than normal use, since they are continuously used 24 hours a day, 365 days a year. Because of record levels of crowding, at medium and high security, these facilities are over utilized, causing extensive wear and tear, as well as premature deterioration. This is especially true in many of the older facilities where the

utility system infrastructures (water, sewer, electrical, and heating/air conditioning) were originally designed for a smaller inmate population.

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

As of March 31, 2009, the BOP had 673 ongoing M&R projects at various stages of completion. Individual project costs range from a low of \$10,000 to many millions of dollars. To manage this volume of projects and resources most efficiently, the BOP has significantly improved the M&R program by using long range master planning with detailed surveys of older facilities; establishing a project time limit policy (3 years); and striving to attain the Federal Facilities Council recommended 2 percent replacement value method of requesting annual funding.

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

A three year time limit policy for M&R projects was implemented in 1998 to ensure that institutions either complete scheduled projects in a timely manner, or the projects will be cancelled. When a project is cancelled, the funding is applied to the next highest priority project. All projects are monitored so local, regional, and central office management are informed of projects which may not meet the time limit. The number of M&R projects being cancelled per fiscal year decreased from 65 in FY 2002 down to 28 in FY 2008.

The replacement value method of requesting funding was first implemented in FY 2000 which allowed the BOP to adopt a project management approach to the M&R program, since it should ensure a reliable funding stream and stable work force. This method is based on recommendations of the Federal Facilities Council (FFC) which recommends that facilities maintenance programs should be funded at a minimum of 2 to 4 percent of their replacement value. It is extremely important that sufficient funding for the M&R program be provided to address the most critical repair and safety projects in order to safely operate and maintain Federal prison facilities.

Using this method of funding rather than the previous line item method, projects can be planned well in advance, and preliminary/preparation work is performed prior to the scheduled start of the projects. Previously, preliminary work could not always be

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

The replacement value method of funding has shortened the time required to complete large M&R projects, through concurrent management of projects in phases, based on projected availability of funds. Under this method, managers can plan projects in smaller stages over a longer period of time and can schedule work to allow for regional and seasonal weather conditions, as well as the unique needs of the facilities and availability of local contractors. Prior to this method, it could take BOP from 4 to 5 years to complete large M&R projects. With the replacement value method, the time to complete these projects can be reduced by 2 to 3 years.

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

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

Finally, the BOP has made significant progress in environmental and energy performance and will continue to integrate and update prior practices and requirements. This will further ensure enhanced performance and compliance with statutory and legal requirements. The BOP is actively utilizing the Energy Saving Performance Contract (ESPC) finance mechanism permitted by Executive Order 13423 and Energy Policy Act.

An ESPC is a contract that provides for the performance of services for the design, acquisition, financing, installation, testing, operation, and where appropriate, maintenance and repair, of an identified energy or water conservation measure or series of measures at one or more locations. The contractor must incur costs of implementing energy savings measures, including at least the cost (if any) incurred in making energy audits, acquiring and installing equipment, and training personnel in exchange for a predetermined share of the value of the energy savings directly resulting from implementation of such measures during the term of the contract. Payment to the contractor is contingent upon realizing a guaranteed stream of future energy and cost savings, with any savings in excess of that guaranteed by the contractor accruing to the Federal Government. The BOP has twenty nine ESPCs in different phases, and plans to look into the utilization of these contracts at every institution where it is practical.

The M&R program has demonstrated substantial improvements through the implementation of the Long Range Planning method with its associated facility surveys, the project time limit policy, and the 2 percent replacement value method of requesting funding. These changes have helped the BOP complete more projects in a shorter period of time and stretch its repair dollars. The BOP has been able to substantially reduce the M&R unobligated balance with the time limit policy, from over \$118 million in FY 1999 down to \$21.4 million at the end of FY 2008.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Modernization and Repair of Existing Facilities											
DOJ Strategic Goal/Objective: 3.3											
Workload/Resources		Final Target		Actual		Projected		Changes		Requested (Total)	
		FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Workload:											
1. Total projects established											
		425		425		300		2		475	
Total Costs and FTE		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		258	\$372,720	258	\$372,720	277	\$575,807	(9)	(\$479,063)	268	\$96,744
TYPE/ STRATEGIC OBJECTIVE	Performance	FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		143	\$70,000	143	\$70,000	143	\$110,627	0	(\$39,269)	143	\$71,358
Performance Measure	2. Total projects completed and closed	340		438		194		156		350	
Performance Measure	3. Total projects active at year end	688		612		718		125		843	
OUTCOME	4. Court ordered remedial projects	0		0		0		0		0	
	5. Dollar value of fines for violations	0		0		0		0		0	
Performance Measure	6. Number of facilities over 30 years old	57		55		57		3		60	
	7. Number of facilities over 50 years old	37		34		34		1		35	
	8. Long range master plan for facilities over 50 years old in development	0		0		0		0		0	
	9. Long range master plan for facilities over 50 years old – total completed	25		25		25		0		25	

Data Definition, Validation, Verification, and Limitations:

Data Definition: Medium security facilities: strengthened perimeters, mostly cell-type housing, work and treatment programs and a higher staff-to-inmate ratio than low security facilities. High security facilities: also known as U.S. Penitentiaries, highly secure perimeters, multiple and single cell housing, highest staff-to-inmate ratio, close control of inmate movement. The three-year time limit policy for M&R projects means that institutions are allowed three years to complete scheduled projects or the project is canceled and the funds are committed to other high priority M&R projects. To ensure that electronic equipment utilized for life safety

sustains trouble-free operation, the BOP schedules life cycle equipment replacement based on a ten-year cycle. The critical equipment is radio systems and PBX (Public Branch Exchange) systems. Mission critical facilities are all existing BOP institutions.

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

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

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

Decision Unit: Modernization & Repair												
Performance Report and Performance Plan Targets		FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008		FY 2009	FY 2010
		Actual	Target	Actual	Target	Target						
Performance Measure	M&R projects: Completed/Active	475/1204	478/743	476/725	474/770	461/781	423/592	435/603	340/688	438/612	194/718	350/843
Performance Measure	Number of facilities over 30 years old	44	47	49	51	52	55	55	57	55	57	60
Performance Measure	Number of facilities over 50 years old	31	33	33	33	35	36	36	37	34	34	35
Performance Measure	Long range master plan for facilities over 50 years in development	4	5	3	1	1	0	0	0	0	0	0
Performance Measure	Long range master plan for facilities over 50 years - total completed	16	16	17	20	24	25	25	25	25	25	25

3. Performance, Resources, and Strategies

The Modernization and Repair (M&R) decision unit contributes directly to the Department's Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice.

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, the outcome measures for this decision unit are: Court ordered remedial projects and Dollar value of fines for violations. In FY 2008, there was no court ordered remedial projects.

The BOP projects that there will continue to be no court ordered remedial projects or dollar value of fines for violations in FY 2009 to FY 2010. The BOP follows a plan to assure that existing facilities meet established standards.

Institutions perform detailed annual inspections of all areas of their physical plants and provide a list of projects to their regional office for all items which are in need of remedial action, and they are placed on a priority list for funding. However, projects could be delayed due to budget constraints and limited resources.

In FY 2008, the BOP completed and closed 438 M&R projects, leaving 612 active at Fiscal Year end.

For FY 2009, the BOP estimates that 194 M&R projects will be completed and closed, and 718 remaining active at Fiscal Year end.

For FY 2010, the BOP estimates that 350 M&R projects will be completed and closed, and 843 remaining active at Fiscal Year End.

b. Strategies to Accomplish Outcomes

The M&R program has demonstrated substantial improvements through the implementation of the Long Range Planning method with its associated facility surveys, the project time limit policy, and the 2 percent replacement value method of requesting funding.

The BOP completed construction of 11 new medium and high security facilities in FY 2004/FY 2005, completed one in January 2006 (FCI Butner, NC) and one in April 2006 (SFF Hazelton, WV). In addition, FCI Pollock, LA was completed in February 2007. BOP continues to contract out for special population low and minimum security inmates. On April 16, 2009, 36,836 inmates (18 percent) were housed in contract confinement. This is an increase from 14.9 percent at the end of FY 2005, 15.6 percent at the end of FY 2006, 16.3 percent at the end of FY 2007, and 17.7 percent from the end of FY 2008.

A: Organizational Chart

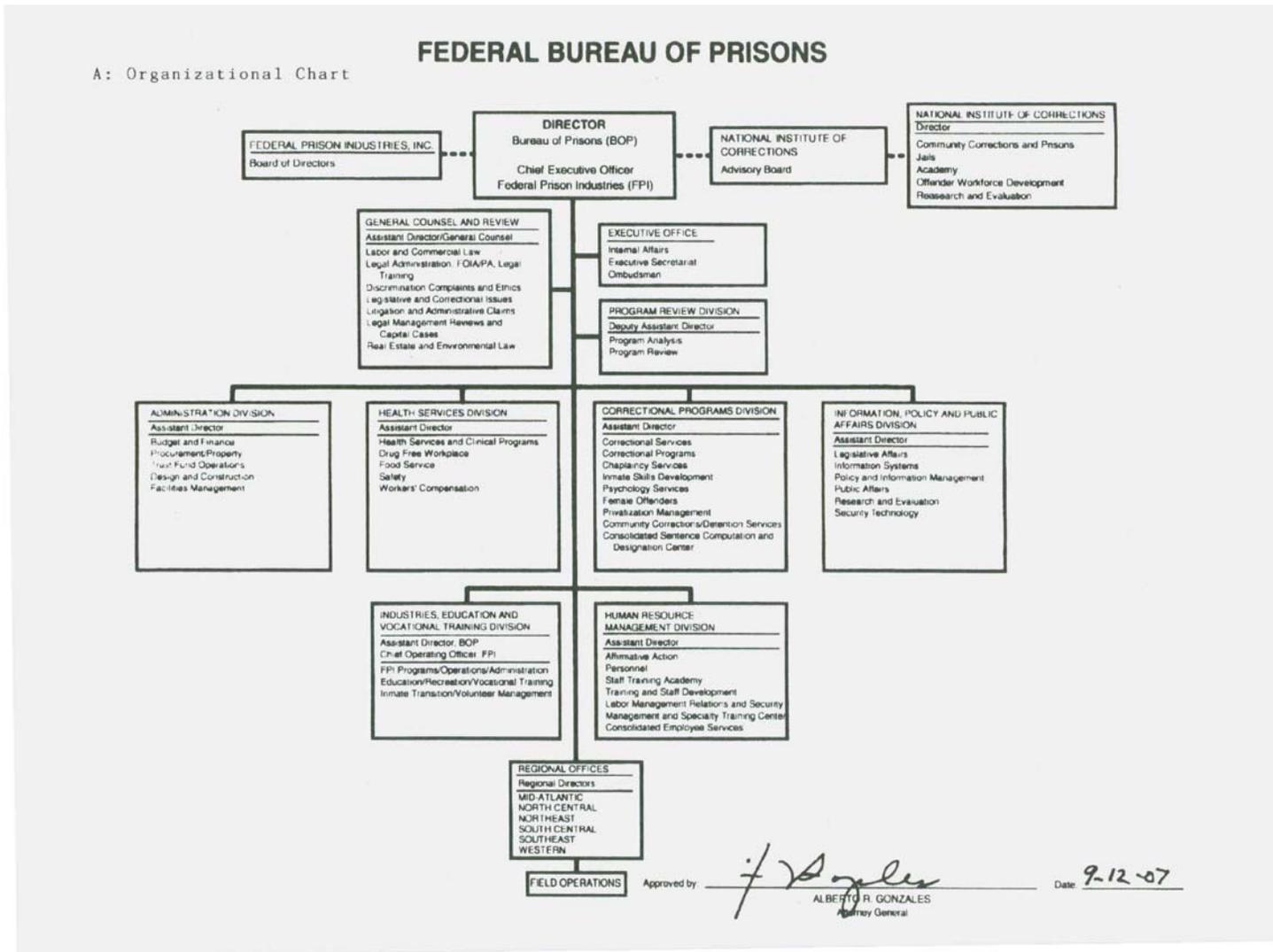


Exhibit A - Organizational Chart

B: Summary of Requirements

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

	FY 2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted (with Rescissions, direct only)	277	258	\$372,720
2008 Supplementals	0	0	0
Total 2008 Revised Continuing Appropriations Resolution (with Rescissions)	277	258	372,720
2009 Enacted (with Rescissions, direct only)	293	277	575,807
2009 Supplementals	0	0	0
Total 2009 Enacted (with Rescissions and Supplementals)	293	277	575,807
Technical Adjustments			
Restoration of 2009 Prior Year Unobligated Balance Rescission	0	0	0
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)	0	0	601
2009 pay raise annualization (3.9%)	0	0	281
Retirement	0	0	28
Health Insurance Premium	0	0	25
Postage	0	0	2
Subtotal Increases	0	0	937
Decreases:			
Positions and Workyears Associated with Construction Projects (FCI Mendota-6; FCI McDowell-3; FCI Berlin-3; and Aliceville+3)	(9)	(9)	0
Non-recrural of New Project Funds Provided in FY 2009	0	0	(440,000)
Non-recrural of Modernization and Repair Funds Provided in FY 2009	0	0	(40,000)
Subtotal Decreases	(9)	(9)	(480,000)
Total Adjustments to Base	(9)	(9)	(479,063)
Total Adjustments to Base and Technical Adjustments	(9)	(9)	(479,063)
2010 Current Services	284	268	96,744
Program Changes	0	0	0
2010 Total Request	284	268	\$96,744
2009 - 2010 Total Change	(9)	(9)	(479,063)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Buildings and Facilities:																					0
New Construction	136	115	\$302,720	152	134	\$465,180	(9)	(9)	(\$439,794)	143	125	\$25,386	0	0	0	0	0	0	143	125	\$25,386
Modernization and Repair	141	143	70,000	141	143	110,627	0	0	(39,269)	141	143	71,358							141	143	71,358
Total	277	258	\$372,720	293	277	\$575,807	(9)	(9)	(\$479,063)	284	268	\$96,744	0	0	\$0	0	0	\$0	284	268	\$96,744

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
#REF!
Buildings and Facilities
(Dollars in Thousands)**

Strategic Goal and Strategic Objective	2008 Appropriation Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Current Services		2010				2010 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Direct FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s		
Goal 3: Ensure the Fair and Efficient Administration of Justice												
3.3 Buildings and Facilities	258	\$372,720	277	\$575,807	268	\$96,744	0	0	0	0	268	\$96,744
Subtotal, Goal 3	258	372,720	277	575,807	268	96,744	0	0	0	0	268	96,744
GRAND TOTAL	258	\$372,720	277	\$575,807	268	\$96,744	0	\$0	0	\$0	268	96,744

E. Justification for Base Adjustments

Justification for Base Adjustments Federal Prison System Buildings and Facilities

Increases

2010 pay raise. This request provides for a proposed 2.0 percent pay raise to be effective January of 2010. This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$601,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$421,000 and

Annualization of 2009 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2009 pay increase of 3.9 percent included in the 2009 President's Budget. The amount requested \$281,000, represents the pay amounts for 1/4 of the fiscal year plus appropriated benefits

Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on OPM government-wide estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 3 percent per year. The requested increase of \$28,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Health Insurance: Effective January 2008, this component's contribution to Federal employees' health insurance premiums increased by 2.0 percent. Applied against the 2009 estimate of \$1,250,000, the additional amount required is \$25,000.

Postage: Effective May 11, 2009, the Postage Service implemented a rate increase of 4.8 percent. This percentage was applied to the 2010 estimate of \$42,000 to arrive at an increase of \$2,000.

Decreases

Positions and Workyears Associated with Construction Projects: A net non-recurring of 9 positions and 9 FTEs are from projects which were previously funded. Projects consist of : FCI Mendota -6; FCI McDowell -3; FCI Berlin -3; and Secure Female FCI Aliceville +3.

New Construction Projects Provided in FY 2009: Program increases for the construction of new facilities are non-recurred the year after enactment, since these are not recurring costs. This request includes a decrease of \$440,000,000, associated with USP Yazoo City; FCI Hazelton; and FCI Leavenworth.

Modernization and Repair Funds Provided in FY 2009: This request includes a decrease of \$40,000,000 which was provided in the FY 2009 Enacted to fund Modernization and Repair projects.

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability
 Federal Prison System
 Buildings and Facilities
 (Dollars in Thousands)

Decision Unit	FY 2008 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
																0	0	0
1. New Construction	136	115	\$302,720	0	0	0	0	0	0	0	0	0	0	0	\$115,634	136	115	\$418,354
																0	0	0
2. Modernization and Repair	141	143	70,000	0	0	0	0	0	0	0	0	0	0	23,524	141	143	93,524	
TOTAL	277	258	372,720	0	0	\$0	0	0	\$0	0	0	\$0	0	0	139,158	277	258	511,878

Unobligated Balances. Funds were carried over from FY 2007 from the Building and Facilities account. The Bureau of Prisons brought forward \$ 139,158,000 from funds provided in prior years for the Buildings and Facilities account.

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability
 Federal Prison System
 Buildings and Facilities
 (Dollars in Thousands)

Decision Unit	FY 2009 Enacted			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2009 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
1. New Construction	152	134	\$465,180	0	0	0	0	0	0	0	0	0	0	0	\$196,626	152	134	\$661,806
2. Modernization and Re	141	143	110,627	0	0	0		0	0	0	0	0	0	0	21,394	141	143	132,021
TOTAL	293	277	575,807	0	0	0	0	0	0	0	0	0	0	218,020		293	277	793,827
Reimbursable FTE																		0
Total FTE					0			0			0			0				
Other FTE																		
LEAP																		
Overtime																		
Total Compensable FTE					0			0			0			0				0

Unobligated Balances. Funds were carried over from FY 2008 from the Budget and Facilities account. The Bureau of Prisons brought forward \$ 218,020,000 from funds provided in prior years for the Buildings and Facilities account.

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 Federal Prison System
 Buildings and Facilities

Category	2008 Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Request					
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
General Administration										
Clerical and Office Services (300-399)	26	0	26	0	0	0	0	0	26	0
Accounting and Budget (500-599)	14	0	14	0	0	0	0	0	14	0
Engineering and Architecture Grp (800-899)	139	0	151	0	(7)	0	0	(7)	144	0
Paralegals / Other Law (900-998)										
Business & Industry (1100-1199)	58	0	62	0	(2)	0	0	(2)	60	0
Ungraded (mechanical and construction)	40	0	40	0	0			0	40	0
								0	0	
Total	277	0	293	0	(9)	0	0	(9)	284	0
Headquarters (Washington, D.C.)	53	0	53	0	0			0	53	
U.S. Field	224	0	240	0	(9)			(9)	231	
								0	0	
Total	277	0	293	0	(9)	0		(9)	284	0

K: Summary of Requirements by Grade

Summary of Requirements by Grade
Federal Prison System
Buildings and Facilities

Grades and Salary Ranges	2008 Enacted w/Rescissions and		2009 Enacted		2010 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
GS-15, \$115,317 - 149,000	2	\$276	3	\$426	3	\$439	0	\$13
GS-14, \$98,033 - 127,442	17	2,009	17	2,074	17	2,128	0	54
GS-13, \$82,961 - 107,854	83	8,352	85	8,861	83	8,412	(2)	(449)
GS-12, \$69,764 - 90,698	103	8,572	115	9,826	108	8,964	(7)	(862)
GS-11, \$58,206 - 75,669	56	4,148	58	4,472	58	4,502	0	30
GS-8, 43,557 - 56,624	5	251	5	259	5	267	0	8
GS-7, \$39,330 - 51,124	4	196	4	205	4	207	0	2
GS-6, \$35,392 - 46,011	5	201	5	207	5	212	0	5
GS-5, \$31,751 - 41,271	2	73	1	38	1	39	0	1
Total, appropriated positions	277	24,078	293	26,368	284	25,170	(9)	(1,198)
Average GS Salary		\$86,930		\$90,000		\$88,630		
Average GS Grade		12.08		12.10		13.20		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Federal Prison System

Buildings and Facilities

(Dollars in Thousands)

Object Classes	2008 Actuals		2009 Enacted		2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	258	\$15,958	277	\$17,174	268	\$14,156	(9)	(\$3,018)
11.3 Other than full-time permanent	0	0	0	0	0	0	0	0
11.5 Total, Other personnel compensation	0	0	0	0	0	0	0	0
Total	258	15,958	277	17,174	268	14,156	(9)	(3,018)
Other Object Classes:								
12.0 Personnel benefits		5,570		5,475		5,757		282
21.0 Travel and transportation of persons		657		1,350		1,350		0
22.0 Transportation of things		60		170		125		(45)
23.2 Rental payments to others		10,470		19,450		10,000		(9,450)
23.3 Comm., util., & other misc. charges		29		75		80		5
24.0 Printing and reproduction		0		0		0		0
25.2 Other services		237,501		558,940		95,700		(463,240)
26.0 Supplies and materials		16,958		18,300		12,400		(5,900)
31.0 Equipment		5,323		6,439		6,400		(39)
32.0 Land		1,641		4,000		4,000		0
Total obligations		\$294,167		\$631,373		\$149,968		(\$481,405)
Unobligated balance, start of year		(139,170)		(217,723)		(162,157)		
Unobligated balance, end of year		217,723		162,157		108,933		
Recoveries of prior year obligations								
Total DIRECT requirements		372,720		575,807		96,744		

N: Summary of Change

**FY 2010 Summary of Change
Federal Prison System
Buildings and Facilities
(Dollars in thousands)**

	Pos.	FTE	Amount
2009 Enacted	293	277	\$575,807
Adjustments to Base:			
<u>Increases:</u>			
FY 2010 Pay Raise (2.0%)	0	0	601
Annualization of 2009 Pay Raise (3.9%)	0	0	281
Retirement	0	0	28
Health Insurance Premium	0	0	25
Postage	0	0	2
Subtotal, Increases	0	0	937
<u>Decreases:</u>			
Positions and Workyears Associated with Construction Projects (FCI Mendota -6; FCI McDowell -3; FCI Berlin -3; and FCI Aliceville +3)	(9)	(9)	0
Non-recrural of New Project Funds Provided in FY 2009			(440,000)
Non-recrural of Modernization and Repair Funds Provided in FY 2009			(40,000)
Subtotal, Decreases	(9)	(9)	(480,000)
Total, Adjustments to Base	(9)	(9)	(479,063)
FY 2010 Current Services (M&R Base \$71,358 and New Construction Base \$25,386)	284	268	96,744
Program Changes	0	0	0
Total FY 2010 Request	284	268	96,744

O. Status of Construction

Federal Prison System
Status of Construction
(Dollars in Thousands)

		Total Funding by Fiscal Year	Total Cost Estimate	Oblig. to Date 03/31/09	Const. award Date	2010 Congressional Budget	*Activation Funding Date
						Status of Projects	
New Facilities (Rated Capacity):							
FCI McDowell, WV with Camp (1,280)	2001	\$5,430 (3,000)	\$249,600	\$243,406	5/26/2006	Design portion of design-build contract awarded 5/26/06. Contract for early sitework awarded 9/27/06. Contract for remaining construction awarded 2/23/07. The Construction is approximately 78% complete. Drywall work, painting above ceiling work and ceiling grids continue to be installed within several buildings.	2010
	2002	91,047					
	2002	3,000					
	2004	40,300					
	2007	95,400					
		6,600					
	2008	3,000					
		1,000					
	3,600						
2009	<u>1,700</u> 248,077					Construction Completion - November 2009.	
California/FCI Mendota, (1,152)	2001	11,930 (3,000)	241,000	231,594	9/28/2004	Initial portion of design - build contract was awarded 9/28/04 and a second option for partial construction, was awarded 12/12/04. This work, for housing units, water tower and central utility plant is complete. After two Congressional rescissions, the BOP required additional funds which were received in 2/2007. The contract for construction of Phase 2 buildings was awarded on 9/25/07 and is approximately 80% complete.	2010
	2002	147,000 (5,744)					
	2004	(51,895)					
		3,000					
	2005	1,900					
	2006	4,000					
	2007	115,000					
		2,000					
		5,050					
	2008	2,000					
		3,000					
		2,400					
2009	<u>1,590</u> 238,231					Construction Completion - February 2010.	
FCI Berlin, NH with Camp (1,280)	2002	5,000	276,000	255,081	5/2/2007	The design-build contract was awarded on 5/2/07. Notice to Proceed for design was issued on 5/16/07. Notice to Proceed on early site-work was issued on 9/19/07. Construction is approximately 64% complete. Pre-cast cells are in place at the FCI and roof structure, roofing and exterior walls are in place in some buildings. Interior mechanical, plumbing and electrical work has begun.	2011
	2003	20,000					
	2004	154,500					
	2007	80,000					
	2008	3,000					
	2009	4,000 <u>4,000</u> 270,500					

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

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

<u>New Facilities (Rated Capacity):</u>	Total Funding by Fiscal Year	Total Cost Estimate	Oblig. to Date 03/31/09	Const. award Date	2010 Congressional Budget	*Activation Funding Date	
					Status of Projects		
Secure Female FCI with camp, Aliceville, AL (1,792)	2006	\$15,000	\$222,000	\$198,011	7/31/2008	The Record of Decision was signed April 3, 2008. design-build contract awarded on 7/31/08. Notice to Proceed was issued on 9/08/08. Design is underway and the Contractor is beginning preliminary site work. Design review meeting was held on 2/12/09. The construction is approximately 5% complete.	2011
	2007	40,000					
	2008	155,000					
	2009	<u>2,340</u> 212,340					
USP Yazoo City, MS with Camp (1,216)	2006	3,000	295,300	1,118	N/A	An Environmental Assessment is being prepared for publication. Procurement of the design-build contract has been initiated. Presolicitation notices were published in January 2009. Solicitations for Phase 1 of the procurement process were issued on 2/09/09. Phase 1 proposals were received on 3/05/09 and are being evaluated.	2013
	2007	12,500					
	2008	60,750					
	2009	<u>205,000</u> 281,250					
FCI Hazelton, WV with Camp (1,280)	2001	5,000	300,000	1,173	N/A	The Finding of No Significant Impact (FONS) was signed May 6, 2008. Required permits related to impacts on "wetlands" have been obtained. Topographic surveys and a geotechnical investigation of the site have been completed. Procurement of the design-build contract has been initiated. Presolicitation notices were published in January 2009. Solicitations for Phase 1 of the procurement process were issued on 2/09/09. Phase 1 proposals were received on 3/5/09 and are being evaluated.	2013
		(3,000)					
	2004	3,000					
	2005	(2,500)					
	2008	60,755					
2009	<u>223,000</u> 286,255						

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

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

		Total Funding by Fiscal Year	Preliminary Cost Estimate	**	Oblig. to Date 03/31/09	Const. award Date	2010 Congressional Budget	*Activation Funding Date
							Status of Projects	
New Facilities (Rated Capacity):								
FCI Midwestern/Leavenworth, KS with Camp (1,408)	2001	\$5,431	\$341,000	**	\$0	N/A	The Environmental services procurement is underway.	2014
		(3,000)	to					
	2004	(1,000)	358,000					
	2009	<u>12,000</u>						
		13,431						
USP South Central/Forrest City, AR with Camp (1,216)	2001	5,000	327,000	**	502	N/A	The Preliminary Environmental Assessment is being reviewed.	2014
		<u>(3,000)</u>	to					
		2,000	343,000					
USP El Reno (Western) with camp(1,216)	2001	6,000	335,000	**	3,429	N/A	Considering potential sites.	2014
		(3,000)	to					
	2004	(1,000)	352,000					
	2005	<u>2,000</u>						
		4,000						
USP Bennettsville,SC with Camp (1,088)	2002	5,000	286,000	**	0	N/A	Considering potential sites at or near Bennettsville.	2014
	2004	(2,000)	to					
	2005	<u>(2,500)</u>	300,000					
		500						
USP Letcher County, KY with camp (1,216)	2006	5,000	437,000	**	63	N/A	Preparing Procurement documents to conduct additional environmental studies.	2015
			to					
			459,000					
FCI North Central Region with camp (1,408)	2002	5,000	358,050	**	21	N/A	Considering potential sites.	2015
	2004	(2,000)	to					
	2005	<u>(2,500)</u>	375,900					
		500						
FCI Florida with camp (1,408)	2002	5,000	331,000	**	0	N/A	Considering potential sites.	2015
		(2,500)	to					
	2008	<u>(2,000)</u>	347,000					
		<u>500</u>						

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

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

P. Waterfall

ANTICIPATED CAPACITY BY FISCAL YEAR

<u>Facility</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>TOTAL</u>
FCI McDowell, WV, (Minimum & Medium)			1,280						
FCI Mendota, CA (Medium)			1,152						
FCI Berlin, NH (Minimum & Medium)				1,280					
Secure Female FCI with camp, Aliceville, AL				1,792					
USP Yazoo City, MS (Minimum & High)						1,216			
FCI Hazelton, WV (Minimum & Medium)						1,280			
FCI Midwestern/Leavenworth, KS (Minimum & Medium)							1,408		
USP South Central/Forrest City, AR (Min. & High)							1,216		
USP El Reno, OK (Western) (Minimum & High)							1,216		
USP Bennettsville, SC (Minimum & High)							1,088		
USP Letcher County, KY (Minimum & High)								1,216	
FCI North Central Region (Minimum & Medium)								1,408	
FCI Florida (Minimum and Medium)								1,408	
TOTAL CAPACITY	0	0	2,432	3,072	0	2,496	4,928	4,032	16,960