



U.S. Department of Justice

Federal Bureau of Prisons

Washington, DC 20535

May 22, 2017

The Honorable Michael McCaul
U.S. House of Representatives
Washington, DC 20515

Attention: Thomas Hester

Dear Congressman McCaul:

This is in response to your letter dated April 18, 2017, regarding the Federal Bureau of Prisons' (BOP) use of private prisons. Specifically, you urge the Bureau to adhere to Attorney General Sessions' February 21, 2017 directive that the Bureau return to its longstanding policy and practice with respect to contracting for private prison bed space.

For decades, the BOP has relied on privately-operated prisons to provide much needed capacity to house low security inmates - primarily low security criminal aliens. The private prison industry helped the BOP manage the unprecedented growth in the inmate population that began in the 1980s. While the federal prison population has decreased in recent years, the BOP is still operating at 14% crowding. Given the President's and the Attorney General's strong commitment to public safety, we can expect an increase in the population going forward. The BOP needs the flexibility that private prison contracts provide to support their dynamic capacity needs, particularly with respect to the low security criminal alien population. As such, consistent with the Attorney's General February 21, 2017, memorandum, the BOP will continue to solicit for future private prison bed space as needed.

Thank you for your continued support of the BOP and its private prison contracts. We hope this information addresses your concerns. If we can be of further assistance to you on this matter, please do not hesitate to contact me at (202) 307-3230.

Sincerely,

Kenneth Burns, for
Bradley J. Gross
Assistant Director
for Administration