



Department of Justice

STATEMENT OF
COLETTE S. PETERS
DIRECTOR
FEDERAL BUREAU OF PRISONS

BEFORE THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

FOR A HEARING ON
“OVERSIGHT OF THE FEDERAL BUREAU OF PRISONS”

PRESENTED
SEPTEMBER 29, 2022

**Statement of Colette S. Peters
Director, Federal Bureau of Prisons
Before the Committee on the Judiciary
United States Senate
September 29, 2022**

Good morning, Chairman Durbin, Ranking Member Grassley, and Members of the Committee. You have asked me to come before you today to discuss the Bureau of Prisons' (Bureau's) mission and operations. It is a privilege to speak today on behalf of the Bureau's approximately 35,000 employees – corrections professionals who support the agency's critical law enforcement mission. I am committed to ensuring that Bureau employees are guided by the values of respect, integrity, courage, and correctional excellence, and that we intend to carry out our mission with the highest levels of competency as we serve our stakeholders. Our mission is to ensure safe prisons, humane correctional practices, and rehabilitation opportunities so that people reenter society as good neighbors. I am grateful for the opportunity to help bring greater reform, oversight, accountability, and further innovation to the Bureau. While ensuring operation of safe and secure institutions is key to the Bureau's mission, it is also important to focus on employee wellness and ensure we treat those in our care with humanity.

I am honored to serve as the 12th Director of the Bureau of Prisons, and to provide leadership to corrections professionals in the largest corrections agency in the country. Prior to being sworn in on August 2, 2022, I spent more than 30 years working in the field of public safety. My experiences spanned the continuum of public safety from victim advocacy and crisis mediation to juvenile and adult corrections. In addition to being the first woman to serve as Director of the Oregon Department of Corrections, I have also served as Chair of the National Institute of Corrections Advisory Board and as a past Vice President of the Association of State Correctional Administrators.

I welcome accountability, oversight, and this hearing. The Bureau cannot fully accomplish our mission unless we work with Congress, Department of Justice (Department) leadership, the Office of Inspector General (OIG), the Government Accountability Office (GAO), and others. I believe in transparency and that we must come to this work with our arms wide open. Additionally, I appreciate time taken by the Chair and other Members to meet with me individually, welcome me to the Bureau, and engage in productive conversations regarding your expectations to move the Bureau forward. As an agency, and throughout the ranks of its dedicated employees, the Bureau continuously works to ensure the safety and wellbeing of our employees, those in our care and custody, and our surrounding communities. We recognize the gravity of the alleged misconduct within some of our institutions in recent years. Employee misconduct is always unacceptable and must never be tolerated. We continue to respond to and investigate reported misconduct, to hold individuals accountable, including by bringing criminal charges where appropriate, and to foster change in culture at locations where necessary. Let me take this opportunity to share some of the Bureau's current priorities.

INVESTIGATING CRIMINAL ACTIVITY WITHIN OUR AGENCY, HOLDING THOSE FOUND GUILTY ACCOUNTABLE TO THE FULLEST EXTENT OF THE LAW, AND WORKING TO PREVENT FUTURE CRIMINAL ACTIVITY

Reporting Misconduct

As the Director, and the former Inspector General in Oregon, I am committed to eradicating all criminal activity and unethical behavior in the agency. I am mindful that I am assuming this leadership role at a time when the Department is confronting instances of misconduct by Bureau employees that must be rooted out and prevented moving forward. As part of this effort, the Deputy Attorney General convened senior Department officials to review the Department's approach to addressing sexual misconduct by Bureau employees and to propose recommendations and reforms. Additionally, the Department has prioritized prosecuting criminal misconduct at Bureau facilities and has convened a workgroup to review the Department's approach to addressing sexual misconduct by Bureau employees and to propose and implement recommendations and reforms.

We believe that investigation and prosecution are essential elements of our goal of rooting out criminal activity within the Bureau. We welcome the Department's focus on prosecuting those who violate their position of public trust as correctional professionals by engaging in criminal activity and victimizing those who they are sworn to safeguard. We believe the Department's recent prosecutions of sexual misconduct, including the indictment of the former Warden of FCI Dublin and the sentencing of the former chaplain at that facility send a strong signal that unlawful conduct will not be tolerated.

Another important aspect of prevention is creating a culture where reporting misconduct is encouraged and supported. Pursuant to the Standards of Employee Conduct, employees are required to report allegations of misconduct. Failure to report allegations of misconduct is itself misconduct. Misconduct allegations are also received from other sources including the Union, inmates, the public, OIG, and other law enforcement agencies, and if uncovered during review processes. There is no limitation to who may submit allegations. Because allegations can and do come from varied sources, many allegations are reported more than once. The vast majority of investigations conducted by OIG of Bureau employee misconduct result from referrals from the Bureau. We will not tolerate retaliation against those who report misconduct, be it staff or individuals in our custody – and will hold accountable those who attempt to retaliate.

Once misconduct is reported, it must also be investigated. The nature and complexity of the allegations, among other factors, will determine which office will investigate an allegation, but criminal allegations are investigated by the OIG, and sometimes the FBI. In some criminal cases, OIG will work with the local U.S. Attorney's Office for criminal prosecution or refer the case back to the Bureau for administrative action. Employees who are prosecuted may also be subject to agency disciplinary action. Administrative investigations, including those involving Wardens, are investigated by the Bureau's Office of Internal Affairs. In some instances, a Warden may determine that a matter may be better addressed as an employee performance issue in the first instance (e.g., when the matter addressed could be resolved through additional training).

The Bureau has a robust infrastructure to educate and train employees about prohibited actions and to notify employees, inmates and the public on how to report misconduct. All Bureau employees receive formal training in this area at least annually. The agency emphasizes accountability and cooperation with the OIG.

Changes to Institution Culture

In recent months, there has been significant public interest regarding unacceptable conditions or conduct at certain institutions. We believe that, especially at those institutions, transforming institutional culture is the foundation of lasting and real improvement.

We will also improve care by providing support to both staff and individuals housed in these institutions. For example, the members of the Bureau's Women & Special Populations Branch are visiting all female institutions to assess the culture. They are reviewing ways to encourage a culture of communication between employees and incarcerated women. They are also reviewing gender-responsiveness practices, the quality of services provided to women in Bureau custody, and they are making recommendations to bolster services where necessary.

The culture of any organization plays a significant factor in its success, but if not properly managed can also contribute to failures. Additionally, shifting any culture takes a significant amount of time and effort; I am putting in the work to ensure the Bureau has an effective culture that will support its mission.

Inmate Misconduct – Contraband Interdiction

The Bureau, like most correctional systems, continues to combat the threat of contraband introduction into our prisons, including drugs, weapons, and unauthorized communication devices. As parties continue to develop new methods to introduce contraband into facilities, the Bureau is consistently using emerging practices and technologies to protect our inmates, employees, and communities from threats posed by contraband introduction.

One recent method of contraband introduction is via use of Unmanned Aircraft Systems (UAS). In calendar year 2021, Bureau employees documented 106 UAS sightings and recovered 8 UAS. Thus far in 2022, Bureau employees documented 83 UAS sightings and recovered 10 UAS. The security threat of UAS to federal prisons remains high and expanding. Some of the most recent UAS security breaches introduced dangerous contraband including large amounts of drugs, cellphones, and, in one instance, materials to aid in an escape. The Bureau has leveraged available mitigation strategies to address this threat. In Fall 2020, the Bureau conducted a comprehensive test of UAS detection and Counter-Unmanned Aircraft Systems (CUAS) technology in collaboration with several Department components, other federal law enforcement partners, and elements of the Department of Defense and the intelligence community. The Bureau plans to deploy UAS detection technology based on the results of those tests and appreciates the continued support of Congress to protect federal prisons.

Among primary practices to address contraband introduction are the use of physical barriers and entrance screening procedures for all inmates, visitors, volunteers, contractors, and

employees. Examples of physical barriers include fences, walls, and perimeter security employees. For entrance procedures, examples include background checks, x-ray/body imaging scans, and physical searches. The Bureau is currently utilizing next generation full body scanners at 10 institutions.

We continue to take steps to reduce unauthorized cell phones in Bureau institutions. The Bureau is conducting assessments to determine the extent of contraband cell phone use at more than 20 facilities across the agency. Managed Access Systems that disrupt contraband cell phone calls are being installed at FCI Miami, FCI Edgefield, and USP Coleman 1. The Bureau is working to install and turn on micro-jamming systems that block phone signals at USP Atlanta, USP Coleman 2, FCI Coleman, LSCI Coleman, and ADX Florence.

MAXIMIZING PROGRAMMING AND INCENTIVES DESIGNED TO REDUCE RECIDIVISM

One of the most important parts of our mission is providing and encouraging participation of incarcerated individuals in recidivism-reducing programs. From the moment a person enters our care, we must guide them toward their eventual return to our communities.

The Bureau prioritizes full implementation of the FSA, including publication of the rule for FSA time credits, quickly implementing interim procedures for applying FSA time credits to those who would receive immediate benefit, and on August 31, 2022, we implemented an Auto-Calculation Application for FSA time Credits.

Shortly after the passage of the FSA, the Bureau began working with the Department on the development of the new risk and needs assessment system, supporting the National Institute of Justice (NIJ) consultants who developed what is now the approved Prisoner Assessment Tool Targeting Risk and Need (PATTERN). FSA requires the Department review and revalidate the risk assessment tool annually with regard to predictive validity, dynamic validity, and racial and ethnic neutrality. As stated in the Department's April 2022 FSA Annual report, "the Department will continue to evaluate the PATTERN tool and particularly its differential prediction findings for racial and ethnic groups – through a transparent and inclusive process – to ensure that the Department's risk assessment system mitigates racial disparities to the greatest extent possible under the law." The most recent version of the tool, PATTERN 1.3 is currently in use by the Bureau. Additionally, we continued to apply input from stakeholders and subject matter experts in the area of needs assessment to help us define and refine an improved needs assessment system, collectively known as the Standardized Prisoner Assessment for Reduction in Criminality (SPARC-13), which was launched in January 2020. This tool provides an assessment of programming needs for incarcerated individuals across 13 need areas.

The Bureau offers more than 85 structured Evidence Based Recidivism Reducing (EBRR) programs, along with a wide range of Productive Activities (PA). Currently, there are more than 87,000 adults in custody enrolled in structured EBRR Programs and PAs. Since January 2020, the Bureau has seen more than 227,000 FSA structured program completions, and the number of individuals who are engaging in any FSA activity has increased significantly just this year. Presently, approximately 60% of individuals in Bureau custody have completed needs assessments and are actively taking steps to engage in creditable FSA activities.

Under the published FSA time credits regulation, eligible adults in custody can also earn time credits while participating in numerous unstructured activities, such as work assignments, worship services, and volunteer or mentoring efforts. Temporary interruptions in participation that are unrelated to an offender's refusal to participate or other violation of programming requirements, or that are authorized by the Bureau, such as institution lockdowns due to security concerns, modified institution operations due to health or safety risk, or when a recommended program or activity is unavailable or at full enrollment, do not affect the offender's ability to earn time credits.

As you are aware, the FSA introduced provisions for eligible adults in custody who participate in EBRR Programs and PAs to earn time credits toward placement in prerelease custody or supervised release. The Bureau worked closely with the Department to finalize the rule regarding FSA time credits, which was officially published in the Federal Register on January 19, 2022. We applied the rule retroactively, and all eligible adults in custody successfully participating are earning credits. During interim implementation, application of time credits was done manually, first to those who would receive immediate benefit and then to those nearing the end of their sentence. On August 31, 2022, the Bureau completed development of and fully implemented an auto-calculation application for FSA time credits. The automated calculation updates time credits monthly for all those who are eligible. Unit Teams will advise adults in custody during their regularly scheduled Program Review meetings of their current "time credits" balance, along with their updated PATTERN risk level.

As of September 8, 2022, 18,861 of those in custody have benefitted from application of FSA time credits toward early transfer to pre-release custody and/or adjustment of their projected release date for early placement in supervised release. Specifically, the Bureau has released 9,869 via the FSA and another 8,992 are either pending release or pending transfer to pre-release custody after having their projected release dates advanced by FSA time credits.

The Bureau needs sufficient staffing to continue its successful implementation of the FSA. While the Bureau has sufficient types of programs to meet the programming needs of individuals in our care, the only way to further increase capacity of those programs is by hiring additional qualified professionals to deliver these programs. The Bureau is using employee positions allotted under the FSA to expand capacity in gender-responsive programs for women, mental health and drug treatment programs, and career and technical education courses. We are committed to maximizing the use of FSA funds for position allotments, as authorized, to ensure all interested and eligible inmates are able to benefit from our many programs.

STRENGTHENING OVERSIGHT AND EFFICIENCY OF OPERATIONS

Auditing of Operations

The Bureau's management control program includes assessment activities at all levels of the agency, including both informal review and feedback, along with formalized assessments. Institutions conduct Operational Reviews of program areas at each location every 10 to 14 months between Program Reviews. In addition to these reviews, regional administration conduct staff technical assistance visits and institutional character profile visits. The Program Review

Division has historically conducted reviews of all program areas at each location at least every three years.

Still, we believe we can do better. The Bureau is now testing a new model for assessments that would move our methods more in line with those used by OIG and GAO. The new model would evaluate each site's operation as a whole, instead of reviewing individual program disciplines separately. These reviews would also incorporate a more robust system of follow-up for sites requiring corrective action to ensure progress is made in correcting identified concerns. Additionally, unannounced audits would be conducted to uncover and address emerging problems quickly. We believe more frequent evaluations will greatly improve systems of control.

In addition to internal assessments, Bureau facilities are routinely evaluated by external stakeholders. These are an integral part of the Bureau's operation. External auditors generally conduct inspections at each facility on a rotating three-year schedule for compliance with the Prison Rape Elimination Act (PREA) and American Correctional Association (ACA) standards. We are committed to continuing our partnership with external stakeholders to obtain additional perspectives and assessments of our facilities. This includes continued cooperation and engagement with external auditing agencies and organizations to include the Government Accountability Office, the ACA, the Accreditation Association for Ambulatory Health Care (AAAHC), and PREA auditors. The Bureau continues efforts to improve our process of preparing for and responding to external audits.

Employee Training

While initial and ongoing employee training has long been a core component of Bureau operations, the agency will embrace a renewed focus on our training, increasing the variety and frequency. In a 2016 bulletin,¹ the Bureau of Justice Statistics reported the average length of law enforcement academy training is 21 weeks. By comparison, however, the Bureau utilizes two phases of Introduction to Correctional Techniques (ICT) for a combined total of five weeks and the remainder of initial job training is provided through on-the-job training. We want to bring our training closer to that of most law enforcement components.

In 2020, the Bureau reinstated our Employee Development Program at all locations, meaning that there are at least two dedicated employees at each Bureau location tasked with ensuring that training is timely and properly conducted. Further, we have renewed efforts to revitalize local mentoring and leadership programs, providing staff with additional resources to develop and maximize their potential as corrections professionals.

Examples of recently developed or renewed employee training includes the Core Correctional Communication (C3), Correctional Training Officer (CTO), Back to Basics, and De-Escalation Training programs.

- C3 is a training course for staff to enhance their communication skills and provide tools to effectively engage incarcerated individuals in positive change and

¹ Reaves, B. (2016) Bureau of Justice Statistics Bulletin, NCJ 249784, State and Local Law Enforcement Training Academies, 2013. Retrieved from <https://bjs.ojp.gov/content/pub/pdf/slleta13.pdf>.

problem solving. The curriculum highlights five evidence-based “Core” skills and techniques: active listening, effective use of reinforcement, effective use of disapproval, effective use of disapproval with consequences, and effective use of authority.

- CTO is a Correctional Services staff development plan and program for correctional officers designed to strengthen or improve employee job skills, increase productivity, adhere to Bureau policies and procedures, and create a clear path for career advancement. It utilizes a structured on-the-job training model to provide individualized instruction and guidance to correctional officers who have completed ICT Phase I and Phase II. A CTO will facilitate the personalized training under the guidance of a Supervisory Correctional Training Officer and the Captain's direction.
- As part of the Bureau’s comprehensive Annual Training, we have developed and implemented a Back to Basics class for all institution employees, centered around correctional techniques and security procedures. Finally, to improve communication between our staff and the people in our custody, the Bureau is requiring eight hours of De-Escalation Training for all staff, which will receive followed-up through annual training. This training teaches communication skills, redirection strategies, and focuses on staff wellness as a key component of working effectively with others. Currently, staff trainers are receiving 24 hours of training in small groups. These trainers will provide training to all institution staff throughout the next fiscal year.

Additionally, the Bureau has implemented supplementary suicide prevention training and intensive PREA training at certain facilities. The intensive PREA training uses on-site workshops with a focus on both knowledge and values for preventing sexual misconduct.

Medical and Mental Health Care

The Bureau continually strives to ensure medical services provided to incarcerated individuals meet or exceed standards of care. As part of this effort, the Health Services Division in conjunction with Program Review Division conducts internal audits of health care requirements that encompass vital and mandatory ACA and PREA standards. Along with ACA, additional accrediting agencies, such as the AAHC, National Commission on Correctional Health Care (NCCHC), and Environmental Protection Agency (EPA) review the Bureau’s health and safety standards to ensure compliance with Bureau policy and applicable Federal Law. Additionally, the Bureau utilizes clinical guidance to guide medical providers in the treatment of various medical conditions that are consistent with treatment regimens within the community. In FY22 the Bureau had 41 AAHC accreditation surveys; all 41 sites passed and are fully accredited. While external reviewers, such as the OIG and other entities, have not identified quality of care issues with medical care provided in the Bureau, they have noted a need for improvement in administrative oversight. These have included areas such as medical billing oversight, contract management, and data analytics. The Bureau’s Health Services Division is evaluating software improvements to better identify, track, and respond to recommendations by external reviewers.

The Bureau strives to provide excellent mental health care to individuals in our custody. We employ approximately 700 doctoral-level psychologists, who are the frontline providers of mental health care. All who enter the care of our institutions receive screening for mental health disorders and suicide risk during the intake process, while all sentenced individuals in our care also receive a detailed mental health intake and needs assessment.

In addition to routine and urgent mental health treatment to address individualized needs, our psychologists facilitate a variety of evidence-based treatment groups, tailored to needs of the population at each institution. This individualized approach has also led to development of and increasing access to gender-responsive interventions for women in the areas of substance use treatment, trauma, and mental health care.

The Bureau also provides residential treatment programs, designed to help with a variety of needs, such as substance use, serious mental illness, trauma, suicide risk, reducing restrictive housing placement, and more. In partnership with medical providers, Bureau psychologists also facilitate the Medication Assisted Treatment (MAT) program, which combines medication and psychosocial interventions in a comprehensive treatment approach to reduce the incidents of substance use, risk of overdose, and risk of suicide among incarcerated persons and recently released individuals.

Infrastructure Improvements

Maintaining and improving aging infrastructure remains a significant concern for the Bureau. Of the 122 institutions operated by the agency, almost one-third are more than 50 years old, and about one-half are more than 30 years old. Infrastructure within many of these facilities is rapidly deteriorating and in need of extensive work and repairs to maintain safe, secure, and functioning correctional institutions.

Current priority modernization projects include systems needing replacement or upgrades throughout the agency include water and sewer distribution, electrical distribution, roof replacement, boiler replacement, fire detection, and fence replacement. Outside of modernization projects, infrastructure attention is required to support our existing systems in dire need of upgrades such as fiberoptics (fiber) and communications. Currently, fiber is being installed throughout the agency to provide the backbone for our necessary camera upgrades that are ongoing.

Population Levels

The Bureau's population levels have been impacted by multiple factors. The Bureau's physical capacity for housing incarcerated individuals has decreased significantly in recent years due to several factors. Multiple institutions had cells to house more than two individuals, which have been decommissioned for safety and security. Additionally, capacity limitations were placed on several Bureau facilities due to factors such as specialized missions, infrastructure repairs, or in response to staffing levels. While the Bureau's 30-day population projections, calculated by the Designation and Sentence Computation Center, indicate sufficient capacity at facilities for high security males, minimum security males, and females, we are currently projecting capacity deficits of 3,054 for medium security male facilities and 1,743 for low

security male facilities. With Judicial Districts returning to pre-pandemic activity levels, the Bureau is receiving about 1,200-1,500 initial designations weekly.

The Bureau continues to use its resources to the greatest extent practicable to ensure those in its care receive safe and appropriate resources and housing. We strive to communicate with external stakeholders to limit the impact of stressors on its resources.

INCREASING STAFFING THROUGHOUT THE AGENCY TO FILL APPROPRIATED VACANCIES

Maintaining fully staffed institutions is a key priority for the Bureau. It is essential for the safety and security of our institutions, the wellness of our employees, and for better outcomes for those in our custody. With higher staffing levels, the Bureau will have the flexibility and stability needed to carry out its mission, including increased capacity for programs as required by the First Step Act (FSA). Additionally, maintaining proper staffing levels promotes greater support for dedicated correctional workers who risk their own safety in a potentially dangerous environment on a daily basis to protect those housed in our facilities, their coworkers, and our communities.

In CY 2019 and CY 2020, the Bureau made significant strides in hiring, hiring an average of over 3,500 new staff into the Bureau each year, with net gains of approximately 1,800 staff over this two-year period. In 2021, the Bureau hired over 2,900 new staff, and had to slow hiring to ensure we did not exceed appropriated levels. Despite ongoing recruitment efforts in 2022, this past year hiring has been a challenge, as the Bureau is faced with the same worker shortage experienced by employers throughout the country. Currently, we have approximately 800 fewer Salaries and Expenses (S&E) staff than we had at the start of the calendar year.

Studies have found the life expectancy of correctional workers and other law enforcement officers to be 12-16 years below the national average.^{2,3} Considering the impact that working in a challenging correctional environment can have on our employees, it is critically important that Bureau facilities be staffed at levels sufficient for promoting safety, employee wellness, and healthy work-life balance.

Currently, the Bureau has an S&E Full Time Employee (FTE) level of 36,422. At present, we have 34,120 S&E employees on board, which is approximately 94% of funded levels.

We continue to work to address our staffing challenges through a strategic approach to hiring. In 2019, we contracted with an outside consultant to provide critical support so that the Bureau can develop a comprehensive recruitment campaign to fill vacancies. The scope of the project includes: 1) creating a new agency campaign that is based on extensive research about public perceptions of the Bureau, its mission, and impediments to hiring; 2) improving the appeal

² Cheek, F. & Miller, M. D. S. (1982). Corrections Today, Volume: 44, Issue 5. Reducing Staff and Inmate Stress. Abstract: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/reducing-staff-and-inmate-stress>.

³ Parker, J.R. (2011). Florida Mortality Study: Florida Law Enforcement and Corrections Officers compared to Florida General Population. Office of the Sheriff, Brevard County, FL. Retrieved from <https://nicic.gov/florida-mortality-study-florida-law-enforcement-and-corrections-officers-compared-florida-general>

of the Bureau's job postings and website; 3) launching online recruitment events and targeted ad campaigns, including extensive use of social media; and 4) developing new data analytics capabilities to measure the effectiveness of these efforts. I received a briefing from both of these entities in the previous weeks and am confident that we have a roadmap going forward to address this issue.

The Bureau has also established a national recruitment office responsible for recruitment of positions across the agency. In 2021, the Bureau made a successful push to hire new employees. By June, the Bureau had filled over 94% of its "Line" Correctional Officer (CO) positions, the highest level in recent years. In October, the Bureau focused hiring on maintaining some of its previous staffing gains, ending 2021 with over 92% of Line CO positions filled. The Bureau ran targeted recruitment campaigns for specific positions and regions that were critical to the success of its hiring effort. In early 2022, the Bureau identified opportunities to make significant advances in staffing, particularly for Correctional Officers, by closely analyzing its staffing data.

The Bureau is pursuing additional strategies to modernize our hiring across the agency. Our goal is to have the flexibility and stability we need to carry out our mission successfully. Our hiring strategies are designed to reduce overreliance on overtime and augmentation, i.e., when fellow employees with equivalent law enforcement training provide necessary coverage for correctional officer positions. To help achieve these goals, the agency has solicited and awarded a contract to a consulting firm to assess institutional staffing levels, use of overtime and augmentation. As a result, the Bureau now has the first iteration of an automated staffing tool prototype and, together with subject matter experts, is piloting this tool within Correctional Services Departments in the Mid-Atlantic region. The Bureau also received an analysis of current overtime, augmentation, and incentive payments, along with recommendations to standardize the Bureau's overtime reporting processes across regions to make it more efficient and actionable. Shortly, in collaboration with the contractor, the Bureau will also develop ways to identify employee groups at high-risk of separation and gather data from these groups to guide decision processes regarding incentive options that Wardens are able to offer individual employees.

Certain facilities have chronic staffing difficulties for a variety of reasons, including competition from state and local organizations that pay a higher salary as well as the rural location of some facilities. Staffing shortages can contribute to challenges in ensuring the safety and security of our institutions, the wellness of our employees, and better outcomes for those in our custody. In summer 2021, the Bureau secured approval from the Office of Personnel Management (OPM) to offer an increased group retention incentive at USP Thomson to correct significant staffing shortages. Subsequently, with the incentive and the increased recruitment efforts, the CO fill rate increased from 56% to 78%. Subsequently, the Bureau worked closely with the Department and OPM to obtain approval for the use of three new flexibilities at FCC Beaumont, FCI Berlin, FCC Florence, FCI Herlong, FCI Mendota, USP Thomson, and FCC Yazoo City. In late-May 2022, OPM approved our request for accelerated promotions, Direct Hire Authority, and a 25% retention incentive for Correctional Officers. We are now implementing those incentives at all seven facilities. Since June 2022, the use of Direct Hire authority at FCC Florence has resulted in 33 projected selections, and at FCC Beaumont has resulted in 37 projected selections. In addition to the use of incentives, the Bureau is providing

direct assistance to USP Thomson, FCC Florence, FCI Berlin, FCC Beaumont, and FCC Yazoo City by assigning National Recruitment Specialist positions to focus on hiring at each of those facilities.

Additionally, to address our medical staffing challenges, the Bureau recently expanded the coverage of its existing Title 38 special pay authority to include not only psychiatrists, but all employed physicians and dentists. Using this authority, the Bureau now pays psychiatrists', physicians', and dentists' salaries that are competitive with other federal agencies and, in certain locations, the private sector.

We believe these recruitment and retention efforts will have a significant, positive impact on the safety, security, and programming opportunities at our facilities. The Bureau is committed to staffing our facilities at funded levels, as doing so is critical to the safety and security of our employees, those in our care, and our communities. It is important to note that increased hiring and the use of incentives requires additional funding. For example, in the last quarter of FY21, the Bureau budgeted \$2.3M for the new 25% group retention incentive at USP Thomson. Use of the new incentives at six additional facilities is similarly costly.

CONCLUSION

Chairman Durbin, Ranking Member Grassley, and Members of the Committee, I am honored to speak on behalf of the Bureau, its employees in our institutions, and our administrative offices nationwide. I believe in the importance of transparency and welcome continued congressional oversight of the agency. Our mission is extremely challenging, but critical to the safety and security of the public, our employees, and individuals housed within our facilities. I thank you for the opportunity to speak with you today, and for your continued support.