

Congress of the United States

Washington, DC 20515

July 29, 2021

Mr. Michael Carvajal
Director
Federal Bureau of Prisons
320 First St., NW
Washington, DC 20534

Director Carvajal,

We are seeking clarification on alarming reports regarding the Bureau of Prison's (Bureau) failure to comply with existing law and Department of Justice (DOJ) policy to prevent and report illicit financial activity and ensure that inmates are honoring their financial obligations to make their victims whole. While we appreciate Bureau's role in protecting public safety, we are concerned some inmates may be abusing the lax requirements of the Inmate Financial Responsibility Program (IFRP) and loose regulations of the Bureau Trust Fund to withhold restitution to their victims and participate in illicit financial activity.

Currently, reports indicate the Bureau manages over \$100 million in inmate accounts and those accounts are not subject to any of the regulatory scrutiny a financial institution of that size would be. Very little oversight or accountability of the Bureau Trust Fund poses significant risks for abuse, money laundering, and corruption. Improving the Bureau's ability to manage the Trust Fund and collaborate with law enforcement will prevent illicit financial activity and ensure inmates are honoring their financial obligations to the best of their ability.

The Bureau has a responsibility to the inmates' victims and the American people to ensure their tax dollars are being used responsibly. Under current law and DOJ policy, the Bureau is required to ensure inmates are paying all financial obligations, including but not limited to restitution, fines, special assessments, child support, alimony, costs of incarceration, and costs of prosecution.

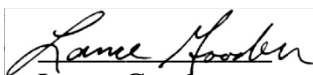
We hope to gain a better understanding of what policies and procedures the Bureau maintains to prevent illicit financial activity within its Trust Fund. We request you answer the following questions as we prepare legislative and regulatory proposals to better assist the Bureau in managing its Trust Fund.


1. Does the Bureau have adequate resources to prevent illicit financial activity, honor state court orders, comply with existing statute and federal regulation, and ensure inmates are held accountable for their restitution and debt obligations without requiring law enforcement and/or state or federal prosecutors to intervene to compel the surrender of funds in an inmate trust account for purposes of satisfying debt owed?


2. Please clarify the following questions related to the inmate trust accounts and the Inmate Financial Responsibility Program (IFRP):
 - a. What is the cumulative total of inmate accounts managed by the Bureau?
 - b. How many inmate accounts have a balance greater than \$10,000; \$25,000; and \$100,000?
 - c. Upon release, what policies and procedures are in place to ensure an inmate is not issued a pre-paid banking card or U.S. Treasury check with their trust account balance where outstanding debt balances exist?
 - d. Are inmates housed in private prisons/detention facilities required to participate in IFRP?
3. What access does the Bureau provide to law enforcement as it pertains to inmate account information?
4. Provide the total number of stimulus checks the Bureau has processed for inmates from economic impact payments, along with the cumulative dollar amount.
5. What policies and procedures does the Bureau have in place to receive, monitor and comply with state or local court-ordered obligations (e.g. child support, alimony)?
6. Please clarify the Bureau's compliance with Bureau Program Statement 5380.06, Cost of Incarceration Fee (COIF):
 - a. Since 1999, how many inmates have paid a COIF?
 - b. How many inmates are currently paying COIF?
 - c. What is the total COIF amount the Bureau has collected since 1999?
7. Please clarify the Bureau's policy on debt collection requirements when utilizing administrative offset. Are the Bureau's policies consistent with federal law and regulation?
 - a. Is the Bureau utilizing the Treasury Offset Program for the collection of inmate debts?
8. Is the Bureau able to implement the attached updates to the Trust Fund/Deposit Fund Manual? What resources would the Bureau need to implement the attached updates? How quickly could the Bureau implement the proposed changes into IFRP?
9. What role does the Bureau employee union have in approving official Bureau of Prison policy?

Improving the integrity of the Bureau Trust Fund will allow for a stronger partnership between the Bureau and law enforcement, state and federal judiciaries and ultimately the American people's faith in the Bureau. We look forward to working with the Bureau to ensure victims are made whole and inmates honor their financial obligations.

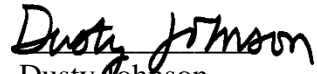
Sincerely,


Lance Gooden
Member of Congress


Fred Keller
Member of Congress



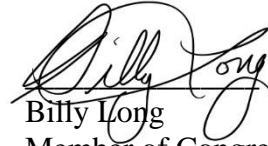
Ken Buck
Member of Congress



Dusty Johnson
Member of Congress



Bob Gibbs
Member of Congress



Billy Long
Member of Congress



Larry Bucshon, M.D.
Member of Congress



Scott Perry
Member of Congress

CC:

Attorney General Merrick Garland

Bureau of Prisons Assistant Director Lisa Ward

Bureau of Prisons Assistant Director Ken Hyle