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Sends letter to Attorney General opposing Dept. of Justice plan to reprogram funds, which could impact Berlin Prison

August 1, 2012

WASHINGTON – Congressman Charles F. Bass (NH-02) today expressed his serious concern regarding a proposal by Attorney General Eric Holder to use Bureau of Prisons (BOP) funds for the purchase of a new prison facility in Illinois that has not been authorized by Congress.

Holder's proposal would divert \$14 million from the Bureau of Prisons to acquire the Thomson Correction Center in Thomson, Illinois. This "earmark" was not included in any legislation approved by Congress and was in fact rescinded by Congress last year. Diverting scarce funds from the BOP account could impact BOP's activation of four new federal prisons, including the new prison in Berlin.

Bass said:

"After an unnecessary and costly delay, Congress was finally able to come together last year and approve and prioritize funding for the activation of the new prison in Berlin, which had been sitting empty for far too long. Not only will this prison help to alleviate overcrowding in the federal prison system, it will be a tremendous economic boon to the North Country.

"So I am extremely concerned that the Administration would consider moving forward on any proposal that could put the four new federal prisons currently being activated, including Berlin, in jeopardy. To circumvent the will of Congress and the American people is unacceptable and I will continue to work with my colleagues to prevent this proposal from becoming a reality."

Bass has long worked for the opening the federal prison in Berlin. Last year, he worked with the House Appropriations Committee to help author the language prioritizing funding for federal prisons that had been constructed but not yet activated, such as the Berlin Prison, which was included in the bill. The Senate Appropriations Committee later included similar language in their version of the bill. Bass continued to work with his colleagues to ensure the prioritization language was included in the final conference report, which Congress passed last November.

Bass' [letter to Attorney General Holder](#) is below:

August 1, 2012

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
Washington, DC 20530

Dear Mr. Attorney General:

I write to you to express my strong opposition to your July 26, 2012, proposal to fund a \$165 million earmark to acquire the Thomson Correctional Center in Thomson, Illinois. This earmark was not included in the text of any bill voted on by Congress and would divert valuable resources from other important projects authorized by Congress.

You propose to reprogram \$151 million from the Assets Forfeiture Fund Super Surplus and to reprogram \$14 million from Bureau of Prisons appropriation balances to acquire the Thomson facility. The House Appropriations Committee's Subcommittee on Commerce, Justice, Science, and Related Agencies, which oversees appropriations for prisons, does not approve of this proposal. Your proposal would divert much-needed resources away from existing Bureau of Prisons priorities toward an earmark project Congress never even requested. The Bureau is currently in the process of activating four new Federal prisons that will alleviate overcrowding in the system, and any surplus in the Salaries and Expenses account should go toward this existing demand.

The position of Congress on this issue is clear. Not only was this earmark not included in any bill voted on by Congress, but Congress has denied and rescinded funding for this specific acquisition. Last year, the Committee rejected a similar reprogramming request from the Department of Justice, and Congress subsequently rescinded the offsets contained in this proposal. Furthermore, the President's own budget request for Fiscal Year 2013 proposed the rescission of all additional remaining Bureau of Prisons balances allocated for the acquisition of an existing prison, and both the House and Senate appropriations bills adopted this rescission.

I remain strongly opposed to your proposal to fund an earmark rejected by the House Subcommittee on Commerce, Justice, Science, and Related Agencies and not included in any bill voted on by Congress. The request to fund Thomson prison would divert much-needed funds from other pressing requirements and circumvents the proper legal process for appropriations.

Sincerely,

Charles F. Bass
Member of Congress

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