

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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February 20, 2026

The Honorable William K. Marshall, III
Director
Federal Bureau of Prisons
320 First St., NW
Washington, DC 20534

Dear Director Marshall:

We write with deep concern about the ongoing staffing shortages at Bureau of Prisons (BOP) facilities across the country, which jeopardize the safety and security of correctional officers and others who work there, as well as the people who are incarcerated in these facilities.

In 2025, the House Committee on the Judiciary's Subcommittee on Crime and Federal Government Surveillance and the Subcommittee on Oversight held a joint hearing titled "Federal Corrections in Focus: Oversight of the Bureau of Prisons." Unfortunately, the Majority opted against inviting a BOP witness to testify at that hearing, where we discussed BOP's longstanding challenges—across Republican and Democratic administrations—including chronic underfunding and understaffing, which has led to persistent,¹ unsafe conditions for both inmates and frontline corrections officers.²

We appreciate your acknowledgement of these shortcomings³ and your candor in admitting that BOP has failed to implement the First Step Act.⁴ We are concerned that staffing

¹ U.S. Dep't of Justice, Office of Inspector General, *Inspection of the Federal Bureau of Prisons' Federal Detention Center SeaTac* (Sept. 2025). <https://primarynewssource.org/wp-content/uploads/25-081.pdf>; U.S. Dep't of Justice, Office of Inspector General, *Department of Justice Top Management and Performance Challenges 2021*, <https://experience.arcgis.com/experience/d292ff9e735a4f80a3e7fc2fc9fb/page/Safe%2C-Secure-%26-Humane-Prison-System> (last visited Oct. 15, 2025).

² Keri Blakinger, et al., *As Corrections Officers Quit in Droves, Prisons Get Even More Dangerous*, THE MARSHALL PROJECT (Nov. 1, 2021), <https://www.themarshallproject.org/2021/11/01/as-corrections-officers-quit-in-droves-prisons-get-even-more-dangerous>.

³ U.S. Dep't of Justice, Office of Inspector General, *Inspection of the Federal Bureau of Prisons' Federal Detention Center SeaTac* (Sept. 2025). <https://primarynewssource.org/wp-content/uploads/25-081.pdf>.

⁴ Walter Pavlo, *Bureau of Prisons Director William Marshall Addresses Challenges*, FORBES (June 30, 2025), <https://www.forbes.com/sites/walterpavlo/2025/06/30/exclusive-interview-with-bureau-of-prisons-director-william-marshall>.

issues have reached a crisis point. As of the end of 2024, facilities were both overcrowded⁵ and understaffed.⁶ And while the overall population of inmates appears to have slightly declined in 2025,⁷ it still exceeds BOP's capacity.⁸ Moreover, any population reduction likely is offset by the influx of thousands of immigrant detainees BOP agreed to accept.⁹ Despite the obvious need to retain its workforce, in March 2025, BOP cut pay to frontline officers by as much as 25%,¹⁰ which reportedly led to attrition of critical staff.¹¹ After instituting a hiring freeze in May 2025,¹² you obtained significant additional funding in July to recruit new and retain experienced staff.¹³ Yet, it appears that BOP only recently posted open correctional officer positions to the public.¹⁴ Further, reporting revealed that the Bureau has lost more than 1,400 staff members as a result of heavy recruitment for positions that come with generous salaries and signing bonuses from Immigration and Customs Enforcement (ICE).¹⁵ One BOP official told ProPublica, "We're broken and we're being poached by ICE."¹⁶

We are deeply concerned that these developments compromise the safety and security of both inmates and staff. The shrinking existing workforce has been left to contend with an ever-growing use of overtime, which leads to fatigue, burnout, and increased attrition. Insufficient

⁵ U.S. Dep't of Justice, Bureau of Prisons, *FY Performance Budget Congressional Submission*, (Mar. 23, 2023), https://web.archive.org/web/20240709182947/https://www.justice.gov/d9/2023-03/bop_se_fy_2024_pb_narrative_omb_cleared_3.23.2023.pdf.

⁶ U.S. Dep't of Justice, Bureau of Prisons, *Staffing Ratios*, https://www.bop.gov/about/statistics/statistics_staff_staffing_ratios.jsp (last visited Oct. 9, 2025).

⁷ U.S. Dep't of Justice, Bureau of Prisons, *Past Inmate Population Totals*, https://www.bop.gov/about/statistics/population_statistics.jsp#old_pops (last visited Oct. 9, 2025).

⁸ U.S. Dep't of Justice, Bureau of Prisons, *FY Performance Budget Congressional Submission*. (Mar. 23, 2023), https://web.archive.org/web/20240709182947/https://www.justice.gov/d9/2023-03/bop_se_fy_2024_pb_narrative_omb_cleared_3.23.2023.pdf.

⁹ U.S. Dep't of Homeland Security, Immigration and Customs Enforcement, *Detention Management*, <https://www.ice.gov/detain/detention-management> (last visited Oct. 9 2025); Allen Devlin, *More Than 100 Migrants Moved to Same Brooklyn Jail as Sean "Diddy" Combs and Luigi Mangione*, CBS, (July 15, 2025), <https://www.cbsnews.com/newyork/news/migrants-moved-to-brooklyn-jail/>.

¹⁰ Erich Wagner, *23,000 Federal Prison Workers Are Set To Take Pay Cuts of Up To 25% Next Month*, GOV'T EXEC. (Feb. 25, 2025), <https://www.govexec.com/pay-benefits/2025/02/23000-federal-prison-workers-are-set-take-pay-cuts-25-next-month/403312>.

¹¹ Drew Friedman, *Days Ahead of Coming BOP Pay Cuts, Some Employees Already Resigning*, FED. NEWS NET. (Mar. 14, 2025) <https://federalnewsnetwork.com/pay/2025/03/days-ahead-of-coming-bop-pay-cuts-some-employees-already-resigning>.

¹² Machael Sisak, *Cash-strapped Bureau of Prisons Freezes Some Hiring To 'Avoid More Extreme Measures,' Director Says*, FED. NEWS NET. (May 9, 2025), <https://federalnewsnetwork.com/hiring-retention/2025/05/cash-strapped-bureau-of-prisons-freezes-some-hiring-to-avoid-more-extreme-measures-director-says>.

¹³ U.S. Dep't of Justice, Bureau of Prisons, *One Big Beautiful Bill Act and the BOP*, <https://www.bop.gov/news/20250711-one-big-beautiful-bill-act-and-the-bop.jsp> (last visited Oct. 15, 2025).

¹⁴ U.S. Dep't of Justice, Bureau of Prisons, *What it Means to Work at the Bureau of Prisons*, <https://careers.bop.gov/s> (last visited Jan. 30, 2026).

¹⁵ Keri Blakinger, *"We're Broken": As Federal Prisons Run Low on Food and Toilets Paper, Corrections Officers are Leaving in Doves for ICE*, PROPUBLICA (Nov. 21, 2025), <https://www.propublica.org/article/ice-bop-federal-prisons-corrections-officers>.

¹⁶ *Id.*

staffing levels have led to lockdowns,¹⁷ heightening tensions among inmates, increasing instances of violence, limiting access to recidivism-reducing programming, further restricting the availability of medical and mental health care, and hindering institutional response to institutional emergencies such as assaults and suicide attempts.

By far, the most significant challenge to BOP's ability to fulfill its public safety mission is its pervasive shortage of critical staff—particularly of correctional officers, healthcare professionals, and mental health specialists.¹⁸ According to a Department of Justice Office of Inspector General (OIG) report released in March 2023, 21% of BOP's authorized correctional officer positions remained unfilled, forcing prisons to use cooks, teachers, nurses, and other workers to guard inmates—a practice known as augmentation.¹⁹ Both the House and Senate Appropriations Committees have repeatedly warned BOP to curtail its overreliance on the use of augmentation²⁰ and require that at least two correctional officers must be on duty for each housing unit at BOP facilities that house high-security inmates.²¹ More than two years after the OIG report, we are aware of reports that numerous facilities still fail to comply with these directives.

We have received whistleblower information confirming the persistence of these problems at several BOP facilities. One whistleblower noted that their facility frequently relies on augmentation and that the facility office has one correctional officer per unit, forcing them to keep all inmates on lockdown for most the day. The lack of staffing has also hindered their ability to comply with the requirements of the First Step Act. When the prison is on lockdown, inmates are unable to participate in classes or other re-entry programming, which precludes them from earning time credits towards gaining early release.

Extended lockdowns also disrupt scheduled medical treatment and impede the timely response to medical and psychiatric emergencies.²² For example, we have learned that one inmate had a heart attack in his unit but understaffing prevented staff from rendering emergency medical care for an hour. Another inmate had dental treatment rescheduled 14 times, which led to

¹⁷ District of Columbia. Corrections Information Council, *Recommendation Assessment Report: BOP Lockdowns* (Sept. 22, 2023), https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/Rec%20Series_%20Lockdowns%209.22.23.pdf; Katie Rose Quandt & Maeve Brennan, *Lockdowns, Violence, and "Barbaric Conditions" in a Brooklyn Federal Jail Known For Its Famous Detainees*, SOLITARY WATCH (June 30, 2025), <https://solitarywatch.org/2025/06/30/in-a-federal-jail-known-for-its-famous-detainees-hundreds-of-others-face-lockdowns-violence-and-barbaric-conditions>.

¹⁸ U.S. Dep't of Justice, Bureau of Prisons, *Mission*, https://www.bop.gov/about/agency/agency_pillars.jsp (last visited Oct. 9, 2025).

¹⁹ Glenn Thrush, *Short on Staff, Prisons Enlist Teachers and Case Managers as Guards*, N.Y. TIMES (May 1, 2023), <https://www.nytimes.com/2023/05/01/us/politics/prison-guards-teachers-staff.html>; U.S. Dep't of Justice, Office of Inspector General, *Capstone Review of the Federal Bureau of Prisons' Response to the Coronavirus Disease 2019 Pandemic* (Mar. 2023), <https://oig.justice.gov/reports/capstone-review-federal-bureau-prisons-response-coronavirus-disease-2019-pandemic>.

²⁰ H.R. Rep. No. 119-272, at 63 (2025); S. Rep. No. 119-44, at 105 (2025).

²¹ H.R. Rep. No. 119-272, at 61 (2025); S. Rep. No. 119-44, at 104 (2025).

²² U.S. Dep't of Justice, Office of Inspector General, *Inspection of the Federal Bureau of Prisons' Federal Detention Center SeaTac* (Sept. 2025). <https://primarynewssource.org/wp-content/uploads/25-081.pdf>.

more serious medical issues that could have been avoided had appropriate treatment been provided when originally scheduled. And yet another inmate in crisis needed to be placed on suicide watch, but a staffing shortage prevented officers on duty from moving the inmate to a housing unit for monitoring, as required by BOP's Suicide Prevention Program.²³

At another BOP facility, staffing numbers are inexplicably falling. In 2025, the facility lost approximately 35 to 40 officers and personnel to higher paying jobs with state corrections and federal law enforcement agencies, where standard pay is as much as 25% higher than what BOP offers. Meanwhile, augmentation at this facility increased dramatically. In less than four months, from May 1 to August 15, 2025, the number of augmentation hours matched the total number of hours accumulated in the previous two years combined, from May 2023 to May 2025.

We are also gravely concerned that BOP is using lockdowns to manage funding shortfalls, to limit the number of staff scheduled per shift, and to avoid paying overtime. Still more troubling, during a visit late last year to a facility by the OIG, all shifts were staffed with two individuals per housing unit—a trick accomplished only through what was characterized as an “extreme usage of augmentation.” Reportedly, after the visit, the facility immediately resumed short-staffing units. Committee staff have reviewed housing unit staffing and augmentation rosters documenting this apparent effort to mislead the OIG.

Additionally, in September 2025, you canceled CPL-33, the collective bargaining agreement with over 30,000 federal correctional employees.²⁴ The termination appears to be part of a broader Trump Administration policy to end collective bargaining agreements across federal agencies and rollback the rights of federal employees.²⁵ When President Trump signed an executive order to effectuate this policy, labor union representatives warned that it would worsen BOP's already dire staffing crisis.²⁶ But the unilateral cancelation of the collective bargaining agreement eliminates employees' ability to protect themselves—and the people who are incarcerated in these facilities—in the workplace and ensure that they can fulfill their mission.²⁷

We are also alarmed by the reported financial shortfalls. According to ProPublica's reporting, BOP staff and inmates alike lack basic personal hygiene products, with one officer sharing he had to bring his own toilet paper and soap, and an incarcerated woman in Texas reported having to use her socks due to a shortage of tampons.²⁸ Brandy Moore White, national

²³ U.S. Dep't of Justice, Bureau of Prisons, *Program Statement P5324.08, Suicide Prevention Program* (Apr. 5, 2007), https://www.bop.gov/policy/progstat/5324_008.pdf. (last visited Oct. 15, 2025).

²⁴ U.S. Dep't of Justice, Bureau of Prisons, *Message from the Director: No Excuses. No Roadblocks. Just Better*. (Sept. 25, 2025), <https://www.bop.gov/news/20250925-message-from-the-director.jsp>.

²⁵ Beth Schwartzapfel & Christie Thompson, *Trump's Union Order Endangers Federal Prison Officers, Labor Leaders Say*, THE MARSHALL PROJECT (Mar. 31, 2025), <https://www.themarshallproject.org/2025/03/31/trump-union-executive-order-prisons>.

²⁶ *Id.*

²⁷ U.S. Dep't of Justice, Bureau of Prisons, *Message from the Director: No Excuses. No Roadblocks. Just Better*. (Sept. 25, 2025), <https://www.bop.gov/news/20250925-message-from-the-director.jsp>.

²⁸ Keri Blakinger, “We’re Broken”: As Federal Prisons Run Low on Food and Toilets Paper, Corrections Officers are Leaving in Doves for ICE, PROPUBLICA (Nov. 21, 2025), <https://www.propublica.org/article/ice-bop-federal-prisons-corrections-officers>.

president of the prison workers union, alleged that several facilities have fallen behind in utility and trash bills, and a prison complex in Louisiana was days away from running out of food for the inmates until higher-ups in the agency were alerted.²⁹

We believe these deeply troubling issues require concrete answers. Therefore, in an effort to understand your plans to address BOP's staffing crisis, we ask that you provide a written response to the questions below within 30 days:

1. In May, BOP announced a partial hiring freeze. It appears BOP recently listed opening for corrections officers, but has the freeze formally been lifted? If the hiring freeze remains in place, when does the Bureau intend to lift that freeze? What efforts has BOP undertaken to attract and recruit qualified candidates?
2. You acknowledge that the Bureau has been "ranked among the worst places to work in the federal government."³⁰ What has been the outcome of BOP's efforts to retain its remaining staff?
3. How many staff did the Bureau lose to ICE in 2025? Has the Bureau offered incentives to retain staff who have received an offer to work for ICE?
4. How many staff did the Bureau lose between October 1 and November 12, 2025, during the historic Republican shutdown?
5. The BOP has failed to fully implement the First Step Act, but you have said that you intend to fully implement the law as part of President Trump's legacy. Please provide the Committee with any steps the Bureau has taken to come into full compliance with the First Step Act and any record or supporting documentation thereof.
6. According to information received by the Committee, several BOP facilities are using extreme augmentation practices to cover staffing shortages. Please provide to the Committee all records and rosters from 2025 for every BOP facility, office, center, or hub housing for any period of time any person who is in custody of any federal, state, or local authority, including inmates, detainees, transferees, and arrestees.
7. Critics suggest that your cancellation of the collective bargaining agreement, known as CPL-33, appears retaliatory to staff complaints about workplace safety. Please provide to the Committee all communications BOP has received from 2025 to present, in any form, from any source, regarding the safety or security of any person and relating to any staffing policy, practice, ratio, shortage, or augmentation, to inmate classification, designation, transportation, or lockdown,

²⁹ *Id.*

³⁰ U.S. Dep't of Justice, Bureau of Prisons, *Message from the Director: No Excuses. No Roadblocks. Just Better.* (Sept. 25, 2025), <https://www.bop.gov/news/20250925-message-from-the-director.jsp>.

and specifically including any complaint, concern, notification, alert, grievance, inquiry, or request made by any BOP employee or employees, whether in their individual, representative, or collective capacity, and any response thereto by BOP leadership, management, or supervisory staff.

8. In light of the cancelled collective bargaining agreement, please provide to the Committee a copy of any plan or policy by which BOP will protect employees' rights, improve facility safety and working conditions, or otherwise improve the lives of BOP staff, consistent with your promise to "make life better for every person who works here."³¹

Thank you for your prompt attention to this important matter.

Very truly yours,



Jamie Raskin
Ranking Member



Lucy McBath
Ranking Member
Subcommittee on Crime and Federal
Government Surveillance



Jasmine Crockett
Ranking Member
Subcommittee on Oversight



Joe Neguse
Member of Congress

cc: The Honorable Joshua J. Smith, Deputy Director
Federal Bureau of Prisons

The Honorable Jim Jordan, Chairman

The Honorable Andy Biggs, Chairman
Subcommittee on Crime and Federal Government Surveillance

The Honorable Jeff Van Drew, Chairman
Subcommittee on Oversight

³¹ *Id.*