

United States Senate

WASHINGTON, DC 20510

July 24, 2024

Ms. Colette S. Peters
Director
Federal Bureau of Prisons
320 First Street, NW
Washington, DC 20534

Dear Director Peters,

I write today regarding the concerning staffing situation at Federal Correctional Complex (FCC) Allenwood. As you know, FCC Allenwood consists of three separate facilities: FCI Allenwood Low, a low-security facility; FCI Allenwood Medium, a medium-security facility; and USP Allenwood, a high-security penitentiary. Recent reports have highlighted the unfortunate pay discrepancies and challenges related to recruiting and retaining staff at Allenwood.¹ I urge you to use all tools at your disposal to help address the staffing concerns at FCC Allenwood, including requesting a special pay rate for correctional officers and implementing a higher retention bonus across FCC Allenwood. Furthermore, I request that you conduct a comprehensive review of all Bureau of Prisons (BOP) facilities in Pennsylvania to determine if any would stand to benefit from similar measures to address ongoing staffing deficits.

Currently, I understand that across all three facilities, Allenwood is authorized for 411 correctional officer positions. The high-security penitentiary is authorized for over half of those positions, but as of its June 29 staffing report, it has only been able to fill approximately 64% of its authorized amount. Across the entire complex, Allenwood had 115 correctional officer vacancies at the end of June, which means that it is only staffed to about 72% of its correctional officer authorization. This is unacceptable and unfortunately, reflective of the broader staffing crisis faced in BOP facilities across the Nation.² However, due to its rural character and other competition in the region, FCC Allenwood has a number of particularly challenging hurdles to overcome related to staffing.

Allenwood employees have highlighted that they are in constant competition with the state prison system and state police, both of which pay and retain employees better than FCC Allenwood, as well as new competition between federal prisons in Pennsylvania. I have been informed that historically, FCC Allenwood has recruited candidates from similar geographic locations as other federal prisons in Pennsylvania, including USP Canaan and FCI Schuylkill. However, after recent changes to locality pay areas, both of those facilities are now paying some of their employees 12-20% more than what FCC Allenwood can offer.

¹ https://www.dailyitem.com/news/allenwood-prison-complex-corrections-officers-say-bop-wage-scale-unfair/article_813530d0-3897-11ef-9fee-e7110745e1a6.html

² <https://rollcall.com/2024/02/28/federal-prison-director-tells-senators-about-staffing-crisis/>

While I have been a strong proponent for increasing locality pay, particularly for USP Canaan, we cannot allow progress at some institutions to be at the expense of others. For that reason, I introduced the bipartisan *Pay Our Correctional Officers Fairly Act* in February 2024 to ensure fair pay across BOP facilities by placing *each* facility across the Nation in a more competitive locality pay area, and I will continue to fight to pass this piece of legislation to help combat the ongoing staffing crisis in BOP.

In the immediate term, however, we must also ensure that we are taking steps to address the staffing crises at individual facilities. The current situation at Allenwood is untenable and requires your immediate attention and action. That is why I am urging you to immediately request, at minimum, a special pay rate from the Office of Personnel Management (OPM) to address the correctional officer shortage at FCC Allenwood.

As you know, OPM may “establish higher rates of basic pay—special rates—for a group or category of General Schedule (GS) positions in one or more geographic areas to address existing or likely significant handicaps in recruiting or retaining well-qualified employees.”³ OPM has broad discretion in establishing a special pay rate, but will specifically consider implementing a special pay rate based on several factors that appear to be particularly relevant for FCC Allenwood: (1) whether there is significantly higher non-Federal pay rates than those payable by the Federal Government within the area, location, or occupational group involved; (2) the remoteness of the area or location involved; and (3) the undesirability of the working conditions or nature of the work involved.⁴ In fact, there is longstanding precedent for establishing a special pay rate at Allenwood because since 2010,⁵ psychologists at Allenwood have already been covered by a special pay table.⁶ It seems clear that correctional officers at FCC Allenwood would also qualify for a special pay rate.

Furthermore, I am aware that retention bonuses have, in the past, been used to provide targeted relief for correctional workers working in BOP facilities across the Nation.⁷ While these bonuses are not sustainable or long-term solutions to BOP’s staffing issues, they are a critical tool in BOP’s toolbox to help enhance staff morale and minimize the exodus of staff. Furthermore, unlike a special pay rate, which requires OPM approval, an agency is authorized to provide incentive bonuses up to 25% on its own.⁸ Currently, I understand that staff at FCC Allenwood have received a 10% retention bonus, but the effect of such a bonus seems to have been minimal. As you explore a possible pay request to OPM, I urge you to consider instituting a 25% incentive bonus for staff at FCC Allenwood to help improve morale and stem any further staff departures.

³ <https://www.opm.gov/special-rates/Index.aspx>

⁴ *Id.*

⁵ OPM only includes easily searchable pay tables on its website through 2010. <https://www.opm.gov/special-rates/search.aspx>.

⁶ See e.g., <https://www.opm.gov/special-rates/2024/Table046601012024.aspx>

⁷ See e.g., <https://federalnewsnetwork.com/pay/2023/10/new-25-retention-bonuses-at-bureau-of-prisons-only-a-band-aid-for-larger-staffing-issues/>

⁸ <https://www.opm.gov/policy-data-oversight/pay-leave/recruitment-relocation-retention-incentives/fact-sheets/retention-incentive-payment-and-termination-calculations/>

The lack of adequate staffing is not merely a safety issue for our correctional officers, but also for those incarcerated and the broader community. Throughout my tenure in the Senate, I have worked hard to improve the working conditions for BOP staff and those incarcerated in Pennsylvania and throughout the Nation. After the tragic murder of Senior Officer Eric Williams at USP Canaan, I was proud to partner with my former colleague, Senator Pat Toomey, to introduce and pass the *Eric Williams Correctional Officer Protection Act*, which required BOP to provide pepper spray to all correctional workers in medium and high security facilities. I have also consistently fought to combat the persistent understaffing, augmentation, and low pay at BOP facilities, while also working to cut red tape to improve hiring practices across the agency. I will continue to fight to pass legislation, such as my *Pay Our Correctional Officers Fairly Act*, and work to ensure that BOP receives the funding it needs to fully staff its facilities, but in the interim, we must do more to help the facilities struggling the most. To that end, I also request that you conduct a comprehensive review of all BOP facilities in Pennsylvania, particularly the facilities currently located in the “Rest of U.S.” locality pay area, to determine if they would also stand to benefit from interim measures, including special pay rates or increased retention bonuses, to address staffing deficits.

I thank you for your attention to the concerns at FCC Allenwood and across Pennsylvania. I respectfully request that you provide a response to my requests above no later than August 9, 2024. Should you have any further questions regarding this matter, please do not hesitate to contact my office. I look forward to your response.

Sincerely,



Robert P. Casey, Jr.
United States Senator