

United States Department of Justice



Federal Prison System Buildings and Facilities

FY 2025 PERFORMANCE BUDGET

Congressional Submission

U.S. Department of Justice
FY 2025 Performance Budget
Congressional Submission
Federal Bureau of Prisons
Buildings and Facilities

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I. Overview for the Bureau of Prisons, Buildings and Facilities (B&F) Appropriation

1. Introduction and Background

The Bureau of Prisons (BOP) was established in 1930 to provide more progressive and humane care for Federal inmates, to professionalize the prison service, and to ensure consistent and centralized administration of the 11 Federal prisons at that time (now 122). The mission of the BOP, an agency of the Department of Justice (DOJ), is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The BOP is a critical part of the Federal criminal justice system. Arresting authorities, prosecutors, judges, and community members rely on the BOP to ensure the over 157,000 Adults in Custody (AIC) are always accounted for, are treated humanely and with dignity, and are returned to their communities with the training and skills they need to be productive law-abiding citizens. The BOP must carry out these duties while ensuring that staff are working in a safe environment and have the tools, training, and support they need on a daily basis.



The total FY 2025 Buildings and Facilities (B&F) appropriation request is \$260,215,000, 70 positions, and 69 full time equivalents (FTEs). The BOP requests program increases of \$152,000,000 with four positions and three FTE for the Modernization and Repair (M&R) program to fund a portion of critically required, BOP-wide, roof and fire alarm repairs and replacements, as well as design costs for MCC New York. This request also includes a balance rescission totaling \$579,213,000 in unobligated B&F balances. Amounts included herein referring to the FY 2024 Continuing Resolution reflect an Annualized Continuing Resolution level.

2. Challenges

As of December 21, 2023, there were 157,446 individuals in Federal custody. The BOP receives between 1,200 and 1,500 new cases each week that are sentenced in one of the 94 judicial courts across the country. The BOP faces challenges in managing the existing Federal prison population and providing for adult in custody care and safety in crowded conditions, as well as the safety of BOP employees and surrounding communities. To mitigate some of these pressures, the BOP strives to accommodate the prison population by maximizing reentry placement, mission changes or facility expansion, as funding permits.



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Calculating Bed Capacity. To inform and improve strategic, operational, and management decision-making, the BOP updated the calculation for available beds in each institution. During 2022, the BOP conducted a bed audit to determine physical capacity and calculate a more accurate verification of total beds at each institution to improve population management decision-making. Physical capacity counts each cell as double occupancy unless security or program needs deem otherwise. In addition, physical capacity supports informed population management and helps the BOP “right size” facilities by removing additional beds in non-adults in custody housing areas.

The BOP is currently reviewing assessment methods to improve its ability to assess bed usage and crowding across institutions. For example, such an assessment may be necessary in the event an institution sustains significant damage during a hurricane or must close a housing unit due to infrastructure repairs. Further, part of this assessment will account for specific beds with a specific purpose. For instance, adults in custody participating in the Bureau Rehabilitation and Values Enhancement (BRAVE) program, a cognitive behavioral, residential treatment program for young males, have dedicated beds separate from the general population.

The following chart illustrates actual population and projections, by security level, through FY 2025.

BOP Institution Security Level	FY 2021 Actual Population	FY 2022 Actual Population	FY 2023 Actual Population	FY 2024 Projected Population	FY 2025 Projected Population
High	18,183	18,695	17,820	17,688	17,606
Medium	49,397	53,198	49,299	48,935	48,707
Low	36,170	42,671	47,332	46,981	46,764
Minimum	12,990	13,645	14,377	14,271	14,204
Total – without Admin	116,740	128,209	128,828	127,875	127,281
Admin ¹	14,907	14,913	15,021	14,910	14,841
Total – with Admin¹	131,647	143,122	143,849	142,785	142,122

In FY 2019, the BOP inmate population declined due to the enactment of the First Step Act in 2018. Further, in FY 2020, additional decreases in the BOP inmate population occurred due to the COVID-19 pandemic and its related policies. For FY 2024 and FY 2025, the BOP currently projects the inmate population to sustain levels similar to FY 2023. While the BOP continues implementation of the First Step Act, to include increased incentives, there have also been investments to combatting violent crime by the Department of Justice that have consistently added to, or sustained, the prison population within BOP institutions each year since FY 2021.

In 2021, the BOP transferred over 41,000 inmates into home confinement; between 2020 and 2023, approximately 86,000 inmates were transferred to home confinement. The Budget assumes that the number of inmates transferred to home confinement in FY 2024 and FY 2025 will continue to increase due to applicability of federal time credits to Residential Reentry Center and home confinement. In addition, the BOP has automated the calculation of earned time



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credits for inmates that participate in FSA activities, which can be used towards early release, and the BOP continues to review cases of inmates that are requesting compassionate release.

The B&F appropriation is composed of two decision units: 1) the New Construction decision unit includes funding to expand existing facilities and acquire or construct new prison facilities; and 2) the M&R decision unit includes funding to maintain existing facilities in an adequate state of repair to provide a safe and secure environment to continue prison operations.

The proper maintenance, modernization, and repair of BOP institutions is important to ensure the long-term use of facilities. The purpose of the M&R program is to provide necessary resources to undertake essential rehabilitation, modernization and renovation of buildings, other structures, and associated systems. This program also provides the necessary modifications to meet legal requirements and accommodate correctional programs. Further, the M&R base program is responsible for utilities systems and other critical infrastructure repair or replacement projects to keep all systems and structures in an adequate state of repair. Failure to maintain structures and utility systems erodes capital investment and multiplies future costs. Most importantly, failure to maintain structures causes direct and indirect security problems.

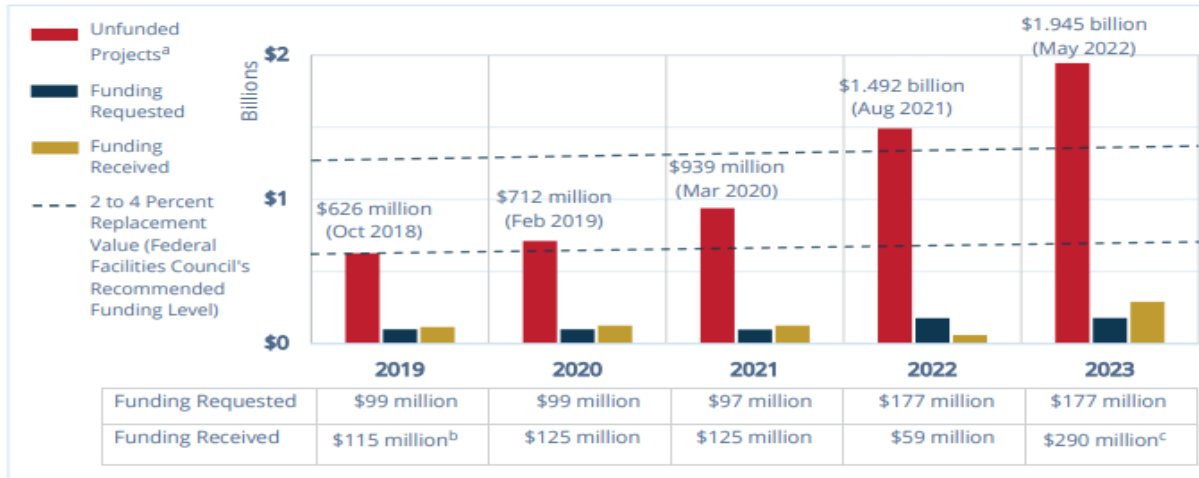
The BOP facilities' systems and equipment (water, sewer, electrical, heating/air conditioning, etc.), many of which are aged and undersized, all operate 24 hours a day, seven days a week. By nature of the environment, systems and equipment are subjected to frequent abuse that further shortens expected useful life. This overutilization causes extensive wear and tear and premature deterioration. As detailed by the U.S. Department of Justice Office of the Inspector General's May 2023 Audit of the Federal Bureau of Prison's Efforts to Maintain and Construct Institutions, "the BOP's infrastructure planning efforts were negatively impacted", in part, by the "mismatch between available and needed funding." For the BOP to address crucial maintenance, renovations and repairs at its 122 federal institutions, additional and adequate M&R funding is critical.



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Figure 2

Comparison between the BOP's M&R Funding Needs and Its Annual M&R Budget in FYs 2019 to 2023



^a The Chief of the Facilities Management Branch attributed the growing unfunded list to both an increase in M&R needs and an effort to update the list to include existing issues that were not previously included.

^b The FY 2019 funding received includes \$87 million M&R appropriation plus \$28 million in hurricane supplemental funds for repairs related to Hurricanes Florence and Michael and Typhoon Yutu.

^c The Consolidated Appropriations Act, 2023 was signed into law on December 29, 2022, and included \$108 million as part of regular appropriations and \$182 million as part of the Disaster Relief Supplemental Appropriations Act, 2023, which provides a total of \$27 billion in emergency funding to recover from and prepare for natural disasters and extreme weather events. Our audit scope ended prior to December 2022, and, as such, does not address these funds.

Source: BOP's budget and appropriation data

The above chart is from this report: <https://oig.justice.gov/reports/federal-bureau-prisons-efforts-maintain-and-construct-institutions>.

The BOP continues to allocate M&R funds primarily for emergency, life safety, and some of the highest priority major projects, annually. The BOP strives to follow the Federal Facilities Council (FFC) Standing Committee on Operations and Maintenance Report Number 131 for maintaining existing prisons. The FFC recommends the BOP funds facilities maintenance programs at a minimum of 2 to 4 percent of their replacement value.



3. Full Program Costs

FY 2025 Budget Request by Decision Unit

New Construction Funds: \$2,000,000

The budget proposes to rescind \$561,413,000 in unobligated New Construction project balances. The proposal would cancel approximately \$504.0 million in construction funding reserved for the BOP's planned Letcher County, KY facility and \$57.4 million from the Federal Correctional Institution (FCI) Leavenworth construction project.

For FY 2025, there is no request for New Construction decision unit program increases. New Construction base resources fund land payments of the Federal Transfer Center in Oklahoma City and salaries and administrative costs of staff necessary to carry out the program objective. They also fund environmental requirements and geo-technical exploration, construction of inmate work program areas, expansion and conversion projects, i.e., additional special housing unit space, and any unforeseen preliminary project costs issues, which may arise and are not included in the individual project cost estimate. Further, when the BOP has not identified a specific location, new construction base funds for site investigations are required for a project.

Modernization and Repair: \$258,215,000

Funding for the M&R Program addresses critical repair and security projects in order to safely maintain Federal prisons and efficiently manage public resources. For FY 2025, the BOP requests a total of \$258.2 million in M&R funding.

The BOP's priorities for the M&R program projects are constantly changing as emergencies arise and equipment or systems fail. There is a dynamic mix of highest priority projects that involve, but are not limited to, building infrastructure improvements, security and life safety repairs such as fire alarms and roofs.

In addition, the budget proposes to rescind \$17.8 million in unobligated M&R balances. The rescission amount would be taken from funding associated with the repairs at the Taft Correctional Institution located in Taft, California.

M&R is an important component of institution security because deteriorated facilities add to increased risk of escape, inability to lock down cells, and potential violence due to frustration over inadequate living conditions, such as leaking and collapsing roofs. Further, as the condition of these facilities worsen, it can result in off-line housing units, such as those experienced at MCC NY. Temporarily vacating housing units reduces bed space, increases system-wide crowding and in critical cases, may close facilities for life and safety reasons.

M&R base funds mitigate deterioration of prison buildings, infrastructure, and physical plants, while simultaneously minimizing future repair costs. This inhibits use of the public's \$40 billion replacement cost investment in a practical and efficient way. Delays in completing repairs will



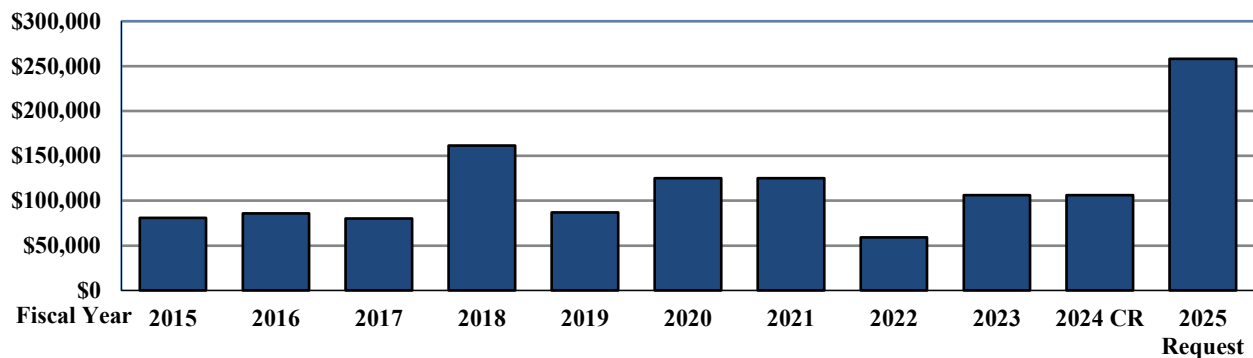
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continue to increase the number and cost of projects, contributing to additional deterioration of BOP's aging and failing infrastructure.

Every year a project is not completed, the amount required for that project increases due to cost escalation and further deterioration. Cost escalation varies from State to State and from year to year. For every year funding of a project is delayed, previous costs were averaging a five percent minimum rate increase.

Even modest rates of inflation can seriously erode purchasing power over time. For example, at an inflation rate of five percent, \$957,212 is needed in five years to match the purchasing power of \$750,000 today. At the end of 20 years, \$1,989,973 will be needed to construct that same \$750,000 project. The below chart depicts M&R funding levels for FY 2015 – FY 2024 and FY 2025 Request:

Modernization & Repair Funding (\$000)



In FY 2018, \$34 million in Hurricane Supplemental funds were provided for repairs at prisons affected by Hurricanes Harvey, Irma and Maria (funds not reflected in the above graph). In FY 2019, \$28 million in Hurricane Supplemental funds were provided for repairs related to Hurricanes Florence and Michael and Typhoon Yutu (funds not reflected in above graph). In FY 2023, \$182 million in funding was provided to fund M&R projects (funds not reflected in the above graph). The 2024 Continuing Resolution figure does not include \$182 million in base resources for Modernization and Repair Projects.

Performance Challenges

The biggest challenge the BOP faces is managing and providing for the care of adults in custody while maintaining safe and secure prisons. The BOP is most concerned with appropriately staffing prisons to reduce crowding throughout institutions, effectively managing adults in custody, and tending to infrastructures that are deteriorating.

Prison facilities are subjected to much heavier than normal use since they are continuously used 24 hours a day, 365 days a year, in crowded conditions. As a result, the rate of deterioration tends to be higher than other Federal facilities, putting an additional strain on BOP's M&R



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resources. The BOP seeks to address this challenge by reprioritizing projects on a regular basis to ensure that the most critical needs are met but is often unable to address lower priority projects due to funding constraints.

This picture represents one of the priority projects on the M&R backlogged list. The outside wall of A-Cellhouse at USP Leavenworth, KS is in great need of repair. The wall is so deteriorated that it has begun crumbling. Securing sufficient M&R resources to fund repair projects, such as the one pictured, is critical to the security and safe operations of BOP prisons.



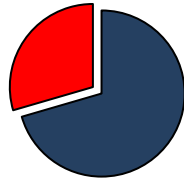
The BOP request for M&R base funding would provide for the essential rehabilitation, modernization and renovation of buildings, and associated systems. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required repairs. Most importantly, failure to maintain structures can cause direct and indirect security problems, such as escapes, inability to lock down cells, and violence due to frustration over inadequate living conditions such as leaking and collapsing roofs. Failure to maintain the BOP's structures and utility systems inhibits BOP's ability to maintain safe and humane institutions.

Almost one-third, or about 31 percent of the BOP's 122 institutions are over 50 years old, and about 57 percent are over 30 years old. The older an institution becomes, the greater the need for repairs/replacements of systems. Some of the type of repairs that these older facilities could require include infrastructure systems pertaining to water, sewer, electrical, HVAC, fire alarms, fences, roofs, etc. These older facilities present higher needs for repairs and renovations than newer facilities and consume a large proportion of the BOP's M&R resources. The BOP prioritizes its major M&R projects (typically those costing about \$300,000 or more) so that the most critical are funded first in order to maintain safe and secure facilities. In accordance with the U.S. Department of Justice Office of the Inspector General's May 2023 Audit of the Federal Bureau of Prison's Efforts to Maintain and Construct Institutions, the BOP is also developing an infrastructure strategy to ensure the most needed projects are completed at the most affected

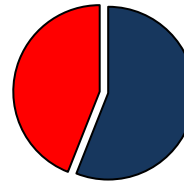


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institutions. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair.



**31 percent > 50 years old
(38 Facilities)**



**57 percent > 30 years old
(70 Facilities)**

II. Summary of Program Changes

Item Name	Program Change Details				Pg
	Description	Pos	FTE	Dollars (\$000)	
Fire Alarm Repairs and Replacements	Modernization and Repair Increase - For FY 2025, the BOP is requesting resources to fund fire alarm detection and sprinkler replacement projects throughout the BOP prisons.	3	2	82,000	21
Roof Replacements	Modernization and Repair Increase - For FY 2025, the BOP is requesting partial funding to replace aged, deteriorated roofs throughout the BOP prisons.	1	1	46,000	25
MCC New York Design	Modernization and Repair Increase - For FY 2025, the BOP is requesting resources for design costs for Metropolitan Community Center (MCC) New York.	0	0	24,000	29
Total Program Changes		4	3	\$152,000	



III: Appropriations Language and Analysis of Appropriations Language

Appropriations Language

The FY 2025 Budget Request includes proposed changes in the appropriations language listed and explained below. New Language compared to the FY 2024 Continued Resolution proposed for FY 2025 is italicized and underlined. The FY language proposed for deletion is bracketed.

Buildings and Facilities

For planning, acquisition of sites, and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, [~~\$108,000,000~~]\$260,215,000 to remain available until expended: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation. Provided further, That of the amounts made available under this heading, \$179,000 is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Cancellation

Of the unobligated balances from prior year appropriations available under this heading, \$579,213,000 are hereby permanently cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Analysis of Appropriations Language

Of the funding provided for Buildings and Facilities appropriation, \$179 million is designated by Congress as emergency funding. The language also includes cancellation of \$579.2 million from prior year appropriation unobligated balances.



IV. Program Activity Justification

A. New Construction

New Construction	Direct Pos.	Estimate FTE	Amount (\$000)
2023 Enacted	17	17	2,000
2024 Continuing Resolution	17	17	2,000
Adjustments to Base and Technical Adj.	0	0	0
2025 Current Services	17	17	2,000
2025 Request	17	17	2,000
2025 Rescission of New Construction Balances	0	0	[-561,413]
Total Change 2024-2025	0	0	\$0

No Information Technology for this program.

1. Program Description

New Construction

The BOP New Construction base program includes salaries and administrative costs of staff necessary to carry out the New Construction program objective.

The budget proposes to rescind \$561.4 million in unobligated New Construction project balances. The proposal would cancel approximately \$504 million in construction funding reserved for the BOP’s planned Letcher County, KY facility and \$57.4 million from the Federal Correctional Institution (FCI) Leavenworth construction project.

New Construction base resources fund land payments of the Federal Transfer Center in Oklahoma City and salaries and administrative costs of staff necessary to carry out the program objective. They also fund environmental requirements and geo-technical exploration, construction of inmate work program areas, expansion and conversion projects, i.e. additional special housing unit space, and any unforeseen preliminary project costs issues, which may arise and are not included in the individual project cost estimate. Further, when BOP has not identified a specific location, new construction base funds for site investigations are required for a project.

As the final component on the law enforcement pipeline, the BOP has no control over the size of its population or the duration of inmates’ incarceration. By law, the BOP must accept all inmates sentenced to confinement by the Federal courts. In addition, in accordance with the D.C. Revitalization Act of 1997, the BOP must accept responsibility for the District of Columbia sentenced felon population.



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The BOP regularly reviews capacity requirements, considers the current and projected inmate population levels, current law enforcement initiatives, geographic origin of the confined population, and the age and condition of existing facilities. The BOP strives to manage the existing large population and resulting crowding to ensure that Federal inmates continue to serve their sentences in a safe and humane environment. The BOP continues to explore opportunities for increasing capacity through the activation of current facilities, expansion of existing facilities, acquisition and conversion of military and other properties, and the ongoing design and construction of new prisons, consistent with capacity planning and available funding.

From a cost perspective, the BOP considers the expansion of existing institutions to be a cost-effective technique for increasing prison capacity, and the BOP has added housing units at facilities where program space and systems infrastructure can absorb further population increases. However, where major program and support areas, such as food service and utilities, are at capacity, institutional expansion may be cost prohibitive and other alternatives are considered.

GAO Report 08-634, *Prison Construction*, recommended that the BOP communicate in DOJ's annual Congressional budget submission: (1) the extent to which project costs may vary from initial estimates, and (2) changes that may impact the functionality of projects.

- (1) Actual Costs May Vary from Initial Estimates - The cost estimates appearing on the Status of Construction exhibit are preliminary and are updated periodically based on the following factors: when full construction funds are anticipated to become available, geographic location, historical and projected cost escalation, and allowances for uncertainty as to actual sites to be developed. Although cost escalation has been lower in previous years, preliminary cost estimates historically increase (approximately five percent or more) each year until full funding is provided for projects and construction contracts can be awarded. However, most recent average costs have escalated much higher.
- (2) Changes from the FY 2024 Congressional Budget- The FY 2025 Congressional Budget proposes a total rescission of \$579,213,000 in unobligated Buildings and Facilities' balances. The rescission will come from the USP Letcher County, KY project (\$503,979,000); the FCI Leavenworth, KS project (\$57,434,000); and the Taft Correctional Institution facility repair project costs (\$17,800,00).



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2. Performance and Resources Tables

PERFORMANCE MEASURE TABLE											
Decision Unit: New Construction											
Performance Measures		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023		FY 2024	FY 2025
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Number of Environmental Impact Studies/Environmental Assessments completed.	0	0	0	0	0	0	0	0	0	0
Performance Measure	Number of major construction awards	0	0	0	0	0	0	1	0		0
Performance Measure	System-wide Crowding in Federal Prisons	13%	13%	12%	-6%	-2%	5%	9%	5%	10%	10%
Performance Measure	Number of facilities completed	0	0	0	0	0	0	0	0	0	0

[N/A= Data
Unavailable]



New Construction

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

The BOP participates in four of the five strategic goals in the Department's strategic plan. In particular, the BOP has five key performance indicators – two under Goal 3: Protect Civil Rights and three under Goal 5: Administer Just Court and Correctional Systems. The Department must provide meaningful opportunities to individuals in custody for rehabilitation and reentry to the community. The Department will ensure that it is faithfully executing the First Step Act by continuing to revalidate the risk-and-needs assessment system, update any associated policies, deliver evidence-based rehabilitative programming opportunities to all inmates, and develop performance metrics to track the BOP's compliance with the statute. Further, the Department will continue to provide Use of Force training to all primary and secondary Law Enforcement Officers, to be used only, when necessary, to protect and ensure the safety of staff, incarcerated individuals and the public.

The BOP had one major construction award in FY 2023. In FY 2023, the BOP did not complete any Environmental Assessment (EA)/Environmental Impact Statement (EIS). For FY 2024 through 2025, the BOP anticipates completing one EA/EIS. An EA is a concise public document that provides sufficient analysis for determining if a Federal action has the potential to cause significant environmental effects. If the agency determines, based on the EA, that the action will not have significant environmental impacts, the agency will issue a Finding of No Significant Impact (FONSI). If the EA determines that the environmental impacts of a proposed Federal action will be significant, an EIS is prepared.

In FY 2022 and FY 2023, no construction of facilities was completed. For FY 2024 through FY 2025, there are no facility projects anticipated for completion.

The population projections are based on data and information from a variety of sources including the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, other DOJ components, and the BOP's own information system (SENTRY). Additional capacity projections rely on future enactment of funding for acquisitions, new construction, and activations. In FY 2023, the actual system-wide crowding was five percent with a total population of 158,424. For FY 2024 and FY 2025 the BOP currently projects the adults in custody population to sustain levels similar to FY 2023.

b. Strategies to Accomplish Outcomes

The BOP strives to acquire needed capacity through a multi-pronged approach of contracts, with State and local governments, expansions of existing facilities, and construction and acquisition of new prisons, as funding permits. A total of 14,285 inmates (9.1 percent) were housed in home confinement (including Residential Reentry Centers, home confinement, and jails/short-term detention) as of December 21, 2023.



B. Modernization and Repair

Modernization and Repair	Direct Pos.	Estimate FTE	Amount (\$000)
2023 Enacted	49	49	106,000
2023 Supplemental Appropriation	0	0	[182,000]
2024 Continuing Resolution ¹	49	49	106,000
Adjustments to Base and Technical Adj.	0	0	215
2025 Current Services	49	49	106,215
2025 Program Increases	4	3	152,000
2025 Request	53	52	258,215
2025 Rescission of Modernization and Repair Balances	0	0	[-17,800]
Total Change 2024-2025	4	3	\$152,215

¹The 2024 Continuing Resolution figure is not inclusive of \$182 million in base resources for Modernization and Repair projects.

No Information Technology for this program.

1. Program Description

Modernization and Repair

For FY 2025, the BOP requests a total of \$258,215,000 for the Modernization and Repair (M&R) program. This program is intended to provide the base resources to undertake rehabilitation, modernization, and renovation of buildings, other structures, and associated systems. It is also intended to make necessary modifications to meet legal requirements and accommodate correctional programs; repair or replace utilities systems; and complete other infrastructure and repair projects at existing institutions to keep all systems and structures in a good state of repair. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years for accomplishing the required maintenance and repair. Most important, failure to maintain structures can cause direct and/or indirect security problems.

In addition, the budget proposes to rescind \$17.8 million in unobligated M&R balances. The rescission amount would be taken from funding associated with the repairs at the Taft Correctional Institution, located in Taft, California.

Inmate work crews perform most maintenance and repair projects. This provides instructional work for inmates and labor for the performed work. Inmate work crews require staff supervision to direct the work being performed and to promote institutional security.



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Almost one-third, or about 31 percent of the BOP's 122 institutions are over 50 years old, and about 57 percent are over 30 years old. Furthermore, most institutions have not undergone major renovations from the time they were constructed, or acquired and converted to prison use, by the BOP. Each facility has numerous buildings on the compound, including inmate living quarters, many of which require extensive work to maintain an adequate state of repair to assure that they meet established standards. Prison facilities have much heavier than normal use due to continuous use 24 hours a day, 365 days a year, in crowded conditions. Inmate overutilization of prison facilities' systems leads to extensive wear and tear as well as premature deterioration. This is especially true in many of the older facilities where the utility system infrastructures (water, sewer, electrical, and heating/air conditioning) were originally designed for a smaller inmate population. The below image, from FCI Terminal Island depicting crumbling concrete floor near powerhouse stairs, serves as one example of BOP's deteriorating infrastructure.

Institutions perform detailed annual inspections of all areas of their physical plants and provide a list of projects to their regional office for all items that are in need of remedial action. The regional offices consolidate project request lists from their facilities and forward the priority lists to the Central Office. The central office prioritizes all the major M&R project requests submitted by the regions and allocates funds for as many projects as practical. Currently, the BOP has 1,043 ongoing major and minor M&R projects at various stages of completion. Individual project costs can range from \$10,000 to \$14 million.



The BOP M&R projects are classified under five general categories for internal management purposes (Life Safety, General Improvements, Infrastructure Improvements, Hazardous Waste, and Energy Savings). Within each of these categories are special projects to meet various regulations and codes requirements. Life Safety projects are required to make corrective actions to comply with National Fire Code (National Fire Protection Association 101) standards. General Improvement projects modernize and/or improve equipment, entire rooms, such as kitchens, or buildings that require total rehabilitation of structures, including walls, floors and windows. Infrastructure Improvement projects modernize or replace utilities, such as water pipes and electrical systems. Hazardous waste projects abate hazardous waste, such as asbestos, through removal, encapsulation, and other methods as necessary. Energy Savings projects conserve energy by using more energy efficient equipment and systems. Energy projects are also required to meet pertinent energy conservation laws and regulations.

The five categories may also contain subcategories of projects (such as Accessibility, Environmental, and others) to meet specific needs. For example, General Improvement projects may each include smaller Accessibility projects to meet Architectural Barriers Act requirements. Environmental projects are necessary for the BOP to comply with environmental and safety regulations required by the Environmental Protection Agency (EPA) and the Office of Safety and Health Administration (OSHA).



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2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Modernization and Repair											
RESOURCES (\$ in thousands)		Target		Actual		Target		Changes		Requested (Total)	
		FY 2023				FY 2024		Current Services Adjustments and FY 2025 Program Changes		FY 2025 Request	
Total Costs and FTE (Reimbursable: FTE are included, but costs are bracketed and not included in totals)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		66	290,000	42	290,000	66	108,000	3	152,215	69	260,215
TYPE	PERFORMANCE	FY 2023				FY 2024		Current Services Adjustments and FY 2025 Program Changes		FY 2025 Request	
Program Activity	Modernization and Repair of Existing Facilities	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		49	288,000	33	288,000	49	106,000	3	152,215	52	258,215
Performance Measure:	Total projects completed and closed	320		328		320		15		335	
Performance Measure:	Total projects active at year end	850		1,468		1,225		215		1,440	
Performance Measure:	Number of facilities over 30 years old	70		70		73		7		80	
Performance Measure:	Number of facilities over 50 years old	38		38		40		1		41	
Performance Measure/Outcome:	Dollar value of fines for violations	0		0		0		0		0	



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PERFORMANCE MEASURE TABLE											
Decision Unit: Modernization and Repair											
Performance Measures		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023		FY 2024	FY 2025
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	M&R projects: Completed/Active	503/492	393/723	434/725	414/716	504/734	213/912	320/850	328/1468	320/1,225	335/1,440
Performance Measure	Number of facilities over 30 years old	53	55	55	61	62	70	70	70	73	80
Performance Measure	Number of facilities over 50 years old	36	36	36	36	36	38	38	38	40	41



Modernization and Repair of Existing Facilities

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, the outcome measure for this decision unit includes dollar value of fines for violations. The BOP funds M&R projects within its available resource level. In FY 2023, the BOP completed 213 M&R projects, leaving 912 active at year end. For FY 2024, the BOP anticipates completing 320 M&R projects, leaving 1,225 active at year end. For FY 2025, the BOP anticipates completing 335 M&R projects, leaving 1,440 active at year end. Institutions perform detailed annual inspections of all areas of their physical plants and provide a list of projects to their regional office for all items which need remedial action. These items subsequently are placed on a priority list for funding.

b. Strategies to Accomplish Outcomes

The M&R program has demonstrated substantial improvements using the project time limit policy. To evaluate funding needs, the BOP uses the replacement value method, which was first implemented in FY 2000. It allowed the BOP to adopt a project management approach to the M&R program, since it should ensure a reliable funding stream and stable work force. This method is based on recommendations of the Federal Facilities Council (FFC), which recommends that facilities maintenance programs should be funded at two to four percent of their replacement value. The BOP calculates the M&R replacement value by multiplying the institutions' capacity with the current construction cost per bed, minus ten percent for land costs, since the facility would be rebuilt on the existing property. This cost to rebuild would then be multiplied by two to four percent.

Using a replacement value method of funding, instead of the previous line-item method, allows the BOP to plan projects well in advance, and preliminary/preparation work can be performed prior to the scheduled start of the projects. Previously, preliminary work could not always be performed since this required considerable expense with no certainty that projects would be funded. In addition, staff and jobs are scheduled to meet the unique requirements of each institution and project (i.e., shifting inmates between housing units at a given institution). The level of planning provided by this funding method would enable management to obligate funds and start projects on schedule, which was not previously the case. Under the prior method, projects were funded up-front as line items and staff and funding were dedicated to specific individual projects, which could not be started until preliminary/preparation work was completed. The FY 2025 request for M&R resources would fund the program at 0.6% of BOP institutions' replacement value. In accordance with the U.S. Department of Justice Office of the Inspector General's May 2023 Audit of the Federal Bureau of Prison's Efforts to Maintain and Construct Institutions, the BOP is also developing an infrastructure strategy to ensure the most needed projects are completed at the most affected institutions.



V. Program Increases by Item

Item Name: Fire Alarm – Modernization & Repair (M&R)

Strategic Goal: Goal 5: Administer Just Court and Correctional Systems
Strategic Objective: 5.2 Maintain a Safe and Humane Prison System
Budget Decision Unit: Modernization and Repair
Organizational Program: Modernization and Repair

Program Increase: Positions 3 Agt/Atty 0 FTE 2 Dollars \$82,000,000

Description of Item

The BOP is requesting \$82.0 million, 3 positions, and 2 FTEs for the M&R program to fund fire alarm, detection and sprinkler replacement projects. In the confined environments of the BOP, properly functioning fire alarm systems are the most critical component to improve the survivability of building occupants directly exposed to a developing fire while maintaining an appropriate level of security. The majority of BOP’s existing fire alarm systems across the Bureau are in need of upgrade or replacement to retain compliance with National Fire Protection Association (NFPA) code. In fact, some annual fire alarm inspections have resulted in failures. Failures of this life and safety function within the BOP’s institutions have the capacity to shutter entire facilities, increasing staff-to-inmate ratios at neighboring institutions.

Justification

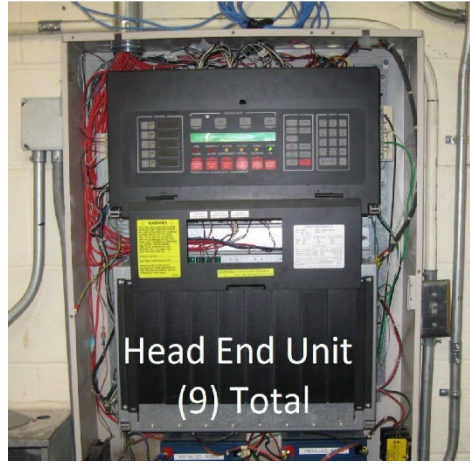
Currently, the BOP institutions have systems composed of numerous manufacturer models, incompatible or obsolete devices and many are decades old which makes repairs difficult and increasingly expensive due to limited availability of replacement components. Fire alarm systems are tightly integrated into all aspects of a building, including system standby power, audible/visual alarms, smoke detectors, and fire suppression systems. Any interruption or malfunction in these systems can significantly delay emergency notifications to BOP employees and first responders that are needed to safely evacuate employees and incarcerated individuals and protect government property.

These high priority repairs are necessary for the safety of employees and incarcerated individuals in these buildings and to protect Federal infrastructure and investments. The BOP proposes to fund \$82.0 million in fire alarm systems projects, at various BOP prisons, including repairs such as: replacement of fire pumps; upgrade of fire alarms; replacement of sprinklers; installation of fire suppressions; and upgrade of fire detection systems.



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The images below depict Fire Suppression and Alarm Units that would need to be replaced within existing facilities.



Impact on Performance

With this requested funding, the BOP will be able to plan and manage the long list of critical fire alarm repair and replacement projects. In addition, this request would directly respond to the previously mentioned OIG's Audit report recommendations.



Funding

1. Base Funding

FY 2023 Enacted				FY 2024 Continuing Resolution				FY 2025 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
<u>0</u>	<u>0</u>	<u>0</u>	<u>\$0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>\$0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>\$0</u>

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2025 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Project Representative (800-900) Series	214	3	N/A	214	107	107	N/A
Total Personnel	\$214	3	N/A	\$214	\$107	\$107	N/A

3. Non-Personnel Increase/Reduction Cost Summary

The request includes contracted services to complete the replacement and upgrade of fire alarm and sprinklers. Supplies and material will be required in preparation for repairs. Equipment rental may be required to have backup equipment in place during the work. Some travel may be needed, periodically through the life of the contract to review project status as well as site visits performed prior to mobilization.



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Non-Personnel Item	FY 2025 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Fire Alarm Systems	81,786	N/A	N/A	-81,786	0
Total Non-Personnel	\$81,786	N/A	N/A	\$-81,786	\$0

4. Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	Annualizations (\$000)	
							FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Current Services	0	0	0	0	0	0	0	0
Increases	3	0	2	214	81,786	82,000	-81,679	0
Grand Total	3	0	2	\$214	\$81,786	\$82,000	\$-81,679	\$0

5. Affected Crosscuts

N/A



Item Name: Roof Replacement - Modernization & Repair (M&R)

Strategic Goal: Goal 5: Administer Just Court and Correctional Systems
Strategic Objective: 5.2 Maintain a Safe and Humane Prison System
Budget Decision Unit: Modernization and Repair
Organizational Program: Modernization and Repair

Program Increase: Position 1 Agt/Atty 0 FTE 1 Dollars \$46,000,000

Description of Item

For FY 2025, the BOP is requesting one position, one FTE and \$46 million in the M&R base program to fund crucial roof replacement projects at various BOP prison locations. This funding will allow the BOP to replace some of the aged, deteriorated roofs with new membrane and metal roofing products. This initiative will promote the safety and wellness of employees and incarcerated individuals, and will protect the BOP infrastructure and investments, with the added benefit of substantial anticipated energy savings.



Justification

Many of the existing membrane and metal roofing systems across the BOP need replacement. Numerous roofs are decades old and suffer from many leaks that are causing substantial damage to the facility infrastructure. Water damage that has been caused by faulty roof systems can promote the growth of mold and mildew and significantly affect indoor air quality. It also compromises the structural integrity of the roof framing system and causes damage to electrical components that are not designed for water intrusion, requiring the removal of employees and incarcerated individuals from the vicinity so as not to jeopardize their safety.

Further, this request for roof repairs is expected to result in energy savings for the BOP, since these repairs can directly impact the efficiency of the building's utility systems. If roofs are not properly insulated, it can lead to ineffective heating and cooling of buildings, causing the utility systems to work longer and harder, trying to maintain the same level of indoor comfort levels. This creates significant amounts of wasted energy, as the indoor air/heat is escaping, while the outdoor temperature is seeping in through the damaged roofs. This manner of operation also could cause premature system failure since systems are continually working to balance



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temperatures to comfortable levels. This request to fund roof replacements at various institutions, would provide more efficient new roofs, thereby producing energy savings and easing the pressure on utility systems. The following are some examples of prison roofs that are in serious disrepair.



Both the Government Accountability Office (GAO) in its report entitled [Enhanced Data Capabilities, Analysis, Sharing, and Risk Assessments Needed for Disaster Preparedness](#) and the Office of Inspector General's (OIG) report, entitled [Audit of the Federal Bureau of Prisons' Efforts to Maintain and Construct Institutions](#), have identified the status of BOP's maintenance and repair projects to be an area of concern. With this requested M&R funding, the BOP will be able to replace a portion of the deteriorated roofs, which would result in reduced damage to infrastructure. It will also promote a safe and healthy working environment for employees and incarcerated individuals.

Impact on Performance

With this requested funding, the BOP will be able to complete a portion of the needed repairs and minimize the impact these roof leaks are causing at many institutions. In addition, this request directly responds to the previously mentioned OIG's Audit report recommendations.



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Funding

1. Base Funding

FY 2023 Enacted				FY 2024 Continuing Resolution				FY 2025 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2025 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Project Representative (800-900) Series	107	1	N/A	107	N/A	N/A	N/A
Total Personnel	\$107	1	N/A	\$107	N/A	N/A	N/A

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2025 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Roof Replacements	45,893	N/A	N/A	0	0
Total Non-Personnel	\$45,893	N/A	N/A	\$0	\$0



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4. Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	Annualizations (\$000)	
							FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
Current Services	0	0	0	0	0	0	0	
Increases	1	0	1	107	45,893	46,000	0	0
Grand Total	1	0	1	\$107	\$45,893	\$46,000	\$0	\$0

5. Affected Crosscuts

N/A



Item Name: Metropolitan Correctional Center (MCC) New York Design

Strategic Goal: Goal 5: Administer Just Court and Correctional Systems
Strategic Objective: 5.2 Maintain a Safe and Humane Prison System
Budget Decision Unit: Modernization and Repair
Organizational Program: Modernization and Repair

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$24,000,000

Description of Item

The BOP requests \$24 million in costs for evaluations, design, and environmental impact studies to assess potential reactivation of the shuttered MCC New York.

Justification

Due to substantial building deficiencies, the BOP relocated all adults in custody from MCC New York (MCC) in December 2021. The MCC is located at 150 Park Row, in lower Manhattan and was originally constructed in 1975 to house adult male and female adults in custody (AIC) within the New York City Metropolitan area. The MCC is an approximately 244,000 square feet, 12-story high rise facility sitting on approximately 0.62 acres. At the time of its closing, the MCC housed 451 adults in custody. Since the closing of MCC New York, BOP has no place to house adults in custody in Manhattan.

In 2005, BOP contracted for an Existing Conditions Report, which identified various items for improvement in the facility. Since that time, the BOP has funded over \$12 million in repairs at the MCC. This included, but was not limited to, numerous infrastructure projects covering life safety, heating, air conditioning, and electrical.



In FY 2021, BOP contracted for a subsequent review of the MCC, with a focus on life safety systems and infrastructure improvements. This assessment found that all these systems have far exceeded their lifecycle. The assessment identified an estimated \$85 million in necessary improvements. These needed improvements include: the fire alarm system, the fire protection system, the fire pump, the smoke evacuation system, electrical switchgear, the emergency generator, the building automation system, all of the air handling units, the interior of all ductwork, the duct detectors, the duct fire dampers, the water piping, the domestic water heaters,



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the sewage lift station, the elevators, the roof, the exterior façade, the doors, and the interior finishes.

MCC New York has had maintenance issues for many years and the below images are a few examples reflective of the current serious disrepair conditions.



In spring 2023, BOP contracted with a vendor to provide estimates for the timelines and costs of renovation or demolishing and constructing a new MCC. This initial report made clear that extensive work needs to occur for the BOP to address significant issues in the building. The report found that nearly all systems need to be replaced within the building and that there were critical infrastructure concerns. Due to these significant issues, adults in custody have been removed from MCC New York.

This request for funding in FY 2025 would cover the cost for Architectural and Engineering (A&E) tasks related to assessments, design, and environmental impact studies. Following is a bird's eye view of the existing MCC New York facility with visible roof damage.





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Impact on Performance

The BOP currently has no place to house individuals in custody in Manhattan. This situation greatly impacts adults in custody accessibility and movement to the federal courts, as the courts are forced to pause their activities for individuals to be transported to Manhattan, primarily from MDC Brooklyn.



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Funding

1. Base Funding

FY 2023 Enacted				FY 2024 Continuing Resolution				FY 2025 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2025 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
N/A							
Total Personnel							

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2025 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2026 (net change from 2025)	FY 2027 (net change from 2026)
MCC New York Design	24,000	N/A	N/A	-24,000	0
Total Non-Personnel	\$24,000	N/A	N/A	\$-24,0000	\$0



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4. Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	Annualizations (\$000)	
							FY 2026 Net Change from 2025	FY 2027 Net Change from 2026
Current Services	0	0	0	0	0	0	0	0
Increases	0	0	0	0	24,000	24,000	-24,000	0
Grand Total	0	0	0	\$0	\$24,000	\$24,000	\$-24,000	\$0

5. Affected Crosscuts

N/A



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Item Name: Rescission of Unobligated Buildings and Facilities (B&F) Balances

Budget Decision Unit: New Construction and Modernization and Repair
 Organizational Program: New Construction and Modernization and Repair

Program Reduction:	<u>Pos.</u>	<u>Agt./Atty.</u>	<u>FTE</u>	<u>Dollars (\$000)</u>
	0	0	0	-\$579,213,000

Description of Item

The budget proposes to rescind a total of \$579,213,000 in unobligated B&F balances. This is a three-part rescission of funds, as approximately \$504 million will be from the Letcher County, KY construction project balances; \$57.4 million will be from the Leavenworth, KS construction project balances; and \$17.8 million will be from the Taft Correctional Institution (CI), CA facility repair costs.

Justification

The budget proposes a rescission totaling approximately \$504 million from the New Construction decision unit for the Letcher County construction project and \$57.4 million from the Leavenworth construction project. These projects were initially designed to reduce overcrowding by adding bed space, but over the past decade, the inmate population has decreased system wide.

The \$17.8 million rescission requested for the Taft CI repair projects is from the M&R decision unit. In 2019, BOP hired an outside contractor to conduct an in-depth facility assessment report for Taft CI. This assessment responded to significant and unsafe ongoing structural damage to some of the buildings caused by major ground settlement. The assessment included structural evaluation review of all systems (including security, utilities, site infrastructure, accessibility, and mechanical, plumbing, and electrical systems) and identified two major issues causing structural damage: ongoing subgrade soil settlement and major deficiencies in all buildings because of seismic activity.

The assessment concluded that most of the buildings, to include adults in custody housing units, program areas, staff offices and security areas, were unsafe to occupy, which led to shutdown of the facility with staff and adults in custody being removed. In FY 2020, the BOP was provided \$27 million for repairs at the Taft CI, through language in the Explanatory Statement accompanying the FY 2020 appropriation that directed the BOP to prioritize repairs that protect life and safety and to prioritize facilities assessed as having deficiencies of a geological and seismic nature. The BOP dedicated \$8 million towards pre-design and award of design work, however, the BOP estimates Taft CI total repair cost to be approximately \$400 million. The Taft population has already been absorbed by nearby facilities with minimal disruption.

Impact on Performance

Rather than investing in new construction, or in repairs for a facility with extensive repair needs, the BOP plans to leverage existing capacity within the BOP's facilities.



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Rescission of B&F Unobligated Funds

Base Funding

FY 2023 Enacted			FY 2024 Continuing Resolution			FY 2025 Current Services		
Pos	FTE	\$(000)	Pos	FTE	\$(000)	Pos	FTE	\$(000)
0	0	\$0	0	0	\$0	0	0	-\$579,213

Non-Personnel Offset Cost Summary

Non-Personnel Item	Unit	Quantity	FY 2025 Request (\$000)	FY 2026 Net Annualization (change from 2025) (\$000)	FY 2027 Net Annualization (change from 2026) (\$000)
Project Costs	N/A	3	-\$579,213	\$0	\$0
Total Non-Personnel	N/A	3	-\$579,213	\$0	\$0

Total Request for this Item

	Pos	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2026 Net Annualization (change from 2025) (\$000)	FY 2027 Net Annualization (change from 2026) (\$000)
Current Services	0	0	\$0	-\$579,213	-\$579,213	\$0	\$0
Offset	0	0	\$0	-\$579,213	-\$579,213	\$0	\$0
Grand Total	0	0	\$0	-\$579,213	-\$579,213	\$0	\$0