



**U.S. Department of Justice**

**Federal Bureau of Prisons**

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*Office of the Director*

*Washington, DC 20534*

September 22, 2020

The Honorable A. Donald McEachin  
The Honorable H. Morgan Griffith  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mark R. Warner  
The Honorable Tim Kaine  
United States Senate  
Washington, DC 20510

Dear Congressmen and Senators:

This letter is in response to your correspondence dated May 21, 2020, in which you inquired about the Bureau of Prisons (Bureau) response to the COVID-19 pandemic at the Federal Correctional Institution (FCI) Petersburg and United States Penitentiary (USP) Lee in Virginia. First, I note that the Bureau publishes a wealth of data on our public website in a dedicated Coronavirus resource page at [www.bop.gov/coronavirus](http://www.bop.gov/coronavirus). The published information includes our COVID-19 response, action plans, and inmate and staff data by institution, to include data for FCI Petersburg and USP Lee. That data is updated on a daily basis, and I encourage you to review it.

Both FCI Petersburg and USP Lee have ample supplies of Personal Protective Equipment (PPE), to include face coverings, surgical masks, N95 respirators, gloves, gowns, face shields, and sanitation supplies. Indeed, the Bureau has ensured that all institutions nationwide have ample quantities of PPE, and has also established strategic stockpiles in each of our six regions where PPE can be drop-shipped within one day to any institution that might need additional supplies. A significant portion of the funding provided to the Bureau through the CARES Act was used for the acquisition of additional PPE, and the Bureau is grateful for Congress' support and assistance in this regard.

Staff assigned to work closely with inmates, to include those staff assigned to quarantine and isolation units, are provided appropriate PPE consistent with the Centers for Disease Control and

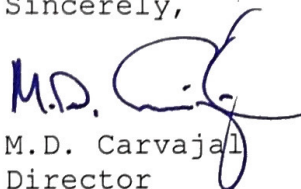
Prevention (CDC) guidelines. I note that leadership at FCI Petersburg, in particular, has received no complaints from staff regarding a lack of PPE. Should staff at any of our institutions be concerned about PPE, they need only ask their supervisor and the issue can be immediately addressed.

Regarding lunch breaks, the Bureau's Master Agreement with the American Federation of Government Employees Council of Prison Locals (CPL) states "[t]he standard workday will consist of eight (8) hours with an additional thirty (30) minute non-paid, duty-free lunch break. However, there are shifts and posts for which the normal workday is eight (8) consecutive hours without a non-paid, duty-free lunch break." Generally, the elimination of lunch breaks is a determination made by the Warden. For Correctional Services specifically, as long as the roster is posted in accordance with Article 18, section (d) of the Master Agreement, management can determine the assignments, days off, and shifts. At FCI Petersburg, the elimination of lunch breaks during an 8-hour shift was appropriately posted via the roster prior to the implementation of the roster in October 2019. For staff who are required to work beyond their 8-hour shift based upon security and institution needs, they may request the opportunity to obtain food or have food delivered to the institution.

Finally, with respect to inmate movement, it is important to understand that the criminal justice system has continued to sentence individuals convicted of crimes during the COVID-19 pandemic. As such, the Bureau must continue to accept sentenced offenders, as well as individuals pending federal trial and sentencing, into our custody and must, therefore, continue to move inmates throughout the system to appropriately manage our population. The health and safety of the public, our staff, and the inmates is of paramount importance. Thus, we have adopted a test-in/test-out policy for all inmates who are moved, with only inmates who have tested negative via a lab-confirmed test being moved. Additionally, all inmates and staff are required to wear masks and staff are provided appropriate PPE both within the institutions and during inmate movement.

I trust this information is responsive to your concerns.

Sincerely,

  
M.D. Carvajal  
Director