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Over 185 Organizations Oppose Legislation Fast-Tracking A New Prison in Eastern Kentucky

Both the Trump and Biden Administrations sought to defund the construction of FCI Letcher.

Washington, D.C. - Today, more than 185 organizations delivered [a letter to Congress](#) urging legislators to remove language - Section 219 - in the FY24 House appropriations bill that fast-tracks the construction of a new federal prison in Letcher County, Kentucky, costing taxpayers more than \$505 million dollars. Section 219 would also allow the prison to bypass the federal environmental review process and make the prison and its operations nearly immune from judicial oversight.

“Today, we are making it known that more than 185 organizations across the country oppose the construction of a new, toxic prison in Eastern Kentucky that would be constructed on top of a toxic former mining site. We also vehemently oppose Section 219, which would remove a vital, federally-mandated environmental review process and set an incredibly dangerous precedent for federal oversight in prisons, both in Kentucky and across the country,” said Norris Henderson, Executive Director of VOTE (Voice of the Experienced).

Section 219 explicitly instructs the Attorney General and the Bureau of Prisons to bypass the federally mandated environmental review process under the National Environmental Policy Act (NEPA). Both the [Trump](#) and [Biden](#) Administrations have requested that the original \$505 million funding for the prison be rescinded. Even [top officials](#) at the Department of Justice have publicly stated this new construction is unnecessary due to a declining federal prison population.

“Building a prison and incarcerating people on a toxic former mining site, with no idea what the long term ramifications will be, is not just a potential environmental disaster, but a human rights issue,” said Julia Finch, Sierra Club Kentucky’s Chapter Director. “Prison construction should never be exempted from the National Environmental Policy Act review process. We continue to be inspired by the resilience of local community leaders working to stop this prison even as they rebuild after the deadly and devastating floods of 2022, and who have been exploited by the fossil fuel industry. Congress is attempting to forgo proper checks and balance and cannot mandate federal regulators throw caution to the wind – environmental laws are more than mere suggestions and should be adhered to.”

Section 219 would also exempt the Attorney General and Director of the Federal Bureau of Prisons from being subject to judicial review, essentially shielding FCI Letcher from liability for any abuses committed there against incarcerated people or prison staff.

“If Section 219 is included in the FY24 House appropriations bill, FCI Letcher will be an island that is completely insulated from the protections of federal law,” states Deborah Golden, a DC-based civil rights attorney with a practice that focuses on the rights of people incarcerated in the Federal Bureau of Prisons. “For example, deaf incarcerated residents at FCI Letcher would not be able to sue for access to hearing aids and ASL interpretation, if FCI Letcher denies them these services. A Jewish or Muslim incarcerated person would not be able to sue for a kosher or halal diet. Prison staff would be unable to pursue challenges for things like sexual harassment, or employment discrimination.”

More than 185 organizations have signed the letter, including national organizations such as:

- Abolitionist Law Center
- American Civil Liberties Union (ACLU)
- Center for Biological Diversity
- Center for Constitutional Rights
- Citizens United For Rehabilitation of Errants (CURE)
- Dream.Org
- Forward Justice
- Institute to End Mass Incarceration
- Natural Resources Defense Council
- The Campaign to Fight Toxic Prisons
- The Sentencing Project
- Standing Up For Racial Justice (SURJ)
- Shriver Center on Poverty Law
- Vera Institute of Justice
- VISIONS Inc.
- Voice of the Experienced (VOTE)
- 350.Org.

The full text of the letter can be found [here](#).

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[Building Community Not Prisons](#) is a coalition of people who oppose the construction of FCI Letcher and demand better options for the people of Letcher County and the communities of color that are most impacted by mass incarceration.