

FOR IMMEDIATE RELEASE

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Rep. Rogers Proposal Would Fast Track Prison Construction in Letcher County, KY in an Attempt to Silence Opposition

Letcher County, KY - Amidst longstanding and growing local and national opposition to Federal Correctional Institution (FCI) Letcher, Representative Hal Rogers (KY-5) has inserted language into the House appropriations bill to fast track the construction of the new 1,408-bed federal prison on a former mountaintop removal coal mine site in rural Eastern Kentucky. Building Community Not Prisons, a coalition of local, state and national stakeholders opposed to FCI Letcher, and Concerned Letcher Countians, a volunteer group dedicated to the county and its future, are calling for the immediate removal of the language from the appropriations bill.

Found in [Section 219](#), the language was added to the House appropriations bill last week and directs a final decision on the construction of FCI Letcher to be made within 30 days, effectively terminating the federally mandated environmental review process, pre-empting the required public comment periods and barring public input on the project. These processes provide essential checks on the prison's potential environmental impacts on endangered bat habitat, wetlands, and old growth forest, as well as public health consequences of arsenic and radon exposure for both incarcerated people and correctional staff.

Furthermore, Section 219 strips federal courts of jurisdiction to hear any legal challenges to the prison's construction, including challenges brought under the essential environmental protection laws that, [until recently](#), applied to every other federal construction project in the country. Echoing the recent move by Senator Joe Manchin of West Virginia to exempt the Mountain Valley Pipeline from judicial review, Section 219 creates a dangerous precedent for future carve outs to exempt federal projects from environmental protection laws.

"People in Letcher County deserve to have a say in this because we vote, we pay taxes, we live here, and we love this place. We don't want Representative Rogers stuffing something down our throats that we are not in agreement with," said Dr. Artie Ann Bates, of Concerned Letcher Countians.

Community members and other stakeholders should have a say when it comes to such a significant change in the community, particularly given the price tag of over \$500 million taxpayer dollars and the [false promises](#) of [prison-based economic development](#).

"As a constituent of Congressman Rogers I am outraged that he would make this undemocratic maneuver to shut down the voices of all of his constituents who know that this federal prison isn't needed, and who are desperately asking for housing, flood recovery assistance in the wake of last summer's devastating flood. This \$500 million of taxpayer money should be used for housing, flood clean up, and prevention, not this unnecessary prison," said Beverly May, of Kentuckians for the Commonwealth.

Rep. Rogers is attempting this strongman tactic because this prison is clearly not needed. An earlier attempt to build a prison in Letcher County was defeated in 2019, and both the [Trump](#) and [Biden](#) Administrations have requested that the original 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.

In addition to disregarding the needs of the local community, the construction of the prison has consequences that reach far beyond Letcher County. FCI Letcher would fall within the Bureau of Prison's [Mid-Atlantic Region](#), housing federal prisoners from as far away as Washington, D.C and Memphis, Tennessee, and leaving many people disconnected from their local support systems.

"In 2004 I went to USP [United States Penitentiary] - McCreary [in Eastern Kentucky]. It was hard for me because I'm from Milwaukee. I got bused down there from FCI-Cumberland in Maryland. We're stuck in the middle of nowhere, we don't even know where we're at, we pretty much don't even understand the language, it's like being in a foreign country," said Ray Mendoza, of Free Movement and on the advisory council for Dream.org. "You are way too far from home to even consider getting a visit. It was difficult to stay connected with family, to keep tabs on what is going on, you lose connection with everything."

Mendoza's experience of incarceration far from home is all too common. "The federal prison population is largely comprised of Black and brown people who are removed from their communities and often sent to far-away prisons like this one," said Premal Dharia, Executive Director of The Institute to End Mass Incarceration. "Communities that would lose loved ones to this prison know that we need Congress to work to stem the growth of our uniquely destructive system of mass incarceration. Instead, some legislators are now trying to bypass federal environmental and other laws to expand it. Section 219 represents an attempt to short circuit democracy, evade important environmental protections, and cause further damage to some of our country's most vulnerable communities – in Appalachia and throughout the mid-Atlantic region."

All communities that stand to be impacted by the construction of FCI Letcher should have the ability to exercise their right to comment on the proposed prison, but Section 219 forecloses those rights in its acceleration of the prison's construction.

Section 219 was approved by the subcommittee and goes to the full House Appropriations Committee as early as this week.

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About Building Community Not Prisons and Concerned Letcher Countians:

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.

Concerned Letcher Countians, LLC, is a group of volunteers who care about their county and its future. They seek respect for every person and the land. Most of all, they are working to protect and provide a future for their youth. They believe that a prison will harm, not help their county.