



**U.S. Department of Justice  
Federal Bureau of Prisons**

*Central Office  
320 First St., NW  
Washington, DC 20534*

July 18, 2022

Jason Wojdylo  
Federal Managers Association  
U.S. Marshals Service Chapter 373  
[REDACTED]

Request Number: 2022-04342

Dear Mr. Wojdylo:

This is in response to the above referenced Freedom of Information Act (FOIA) request in which you asked several questions regarding the Federal Bureau of Prisons (BOP) Trust Fund. A copy of your request is attached.

The FOIA was not designed to provide answers to specific questions. Rather, a request must reasonably describe the actual agency records sought. See 5 U.S.C. § 552(a)(3)(A). That notwithstanding, our office has compiled the following information in response to your request.

1. Is there an opportunity to provide a copy of the spending authority document(s) the OIG relied upon?

These documents are not maintained by the BOP Trust Fund Office. You may wish to contact the OIG directly.

2. Is there an opportunity to provide interest paid to BOP on invested funds from 1995 through 2021? Generally, what is/was the interest funds spent on?

Due to BOP records retention policy, amounts are only available for the following years.

- FY16-\$107,788.46
- FY17-\$326,748.59
- FY18-\$771,794.30
- FY19-\$1,375,835.90
- FY20-\$474,524.25
- FY21-\$29,526.44

The interest received on these securities is captured in the Trust Fund and is used to

defray its general operating expenses.

3. Is there an opportunity to tell us if BOP employee salaries are paid from trust fund proceeds and a part of "continued operations and programs"? If so, the number of employees whose salaries were funded from trust funds in each of FY 2019, 2020, and 2021, and cumulative total amount paid from trust fund revenue paid for the same three fiscal years, broken down by salaries and expenses/benefits? Please provide the spending authority to pay BOP employee salaries from trust fund proceeds.

BOP Program Statement 4500.12, Trust Fund/Deposit Fund Manual (March 14, 2018), Chapter 2, Section 2.3(a) states the following: "**Trust Fund Operating Funds.** The Trust Fund uses financial resources for: ■ Salaries and benefits for Trust Fund Employees." This BOP policy is publicly available online at [BOP: Policy & Forms](#).

Additionally, please see the below information regarding salaries for staff positions based on PP01.

- FY19-673, Salaries-\$47,305,243.80/Benefits-\$28,302,565.04
- FY20-668, Salaries-\$49,483,846.71/Benefits-\$31,540,512.81
- FY21-652, Salaries-\$49,514,506.01/Benefits-\$32,522,034.41

We also refer you to the following: Circular 2244, Rules Governing the Control of Prisoners Funds at Several Penal and Correctional Institutions (January 1, 1932); and Section 108 of the Department of Justice, General Provisions in the Fiscal Year 1999 and thereafter Omnibus Bill and Conference Report Language, Public Law 105-277 (October 21, 1998). Monies accruing to these funds are appropriated and disbursed in compliance with the terms of the trust

If you have questions about this response, please feel free to contact the undersigned, this office, or the BOP's FOIA Public Liaison, Mr. Eugene Baime, at 202-616-7750, 320 First Street NW, Suite 936, Washington DC 20534, or [BOP-OGC-EFOIA-S@bop.gov](mailto:BOP-OGC-EFOIA-S@bop.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request>.

[or-appeal](#). Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

*K. Harne*

K. Harne, for  
Eugene E. Baime, Supervisory Attorney