The BOP's Response to the Draft Webpage

U.S. Department of Justice

Federal Bureau of Prisons

Office of the Director *Washington, DC 20534*

September 16, 2021

MEMORANDUM FOR RENÉ ROCQUE LEE
ASSISTANT INSPECTOR GENERAL
EVALUATION AND INSPECTIONS

FROM: M.D. Carvajal
Director

SUBJECT: Response to the Office of Inspector General's (OIG) Draft Webpage: Staff Perceptions of the Federal Bureau of Prisons' Management of the Coronavirus Disease 2019 Pandemic: A Follow-up Survey of BOP Staff (A-2021-004)

The Bureau of Prisons (BOP) appreciates the opportunity to provide a response to the Office of the Inspector General's above referenced webpage.

The BOP has carefully managed the COVID-19 pandemic in light of complex challenges and the ever-evolving nature of the pandemic. The agency has worked closely with the Centers for Disease Control (CDC) to ensure that our procedures and practices adhered to CDC guidance regarding management of the disease, including preventing and mitigating transmission. We note that this survey was completed in February 2021, prior to the BOP offering all BOP staff the COVID vaccine, which at that time had recently been approved for widespread use. On September 9, 2021, President Biden signed two important new Executive Orders in furtherance of the Administration's efforts to halt the spread of COVID-19. The Orders mandate vaccinations for all Executive Branch employees and contractors working on or in connection with Department contracts (subject to limited exceptions for disabilities or religious objections) consistent with applicable law and guidance to be issued soon by the Safer Federal Workforce Task Force and other authorities. All Department employees (as distinct from contractors) who are not exempt for a religious or qualifying

medical reason must be fully vaccinated (i.e., two weeks past his or her final shot) no later than November 22, 2021. The BOP will continue to offer vaccinations to federal inmates and will continue to work with the CDC, along with state and local health departments, to ensure the protection of staff, inmates, and the communities within which they live.

The BOP would like to reiterate that the overall response rate for this survey was 19 percent, with 6,578 responses received. Completion of the survey was voluntary, and responses were not linked to identifying information. Responses represent a static point in time, February 2021, in an ever-evolving pandemic. Staff perceptions are reflective of that specific time, and these responses cannot be used to evaluate the agency's actual performance. Additionally, each respondent did not answer each question; therefore, readers should note each chart's response rate.

The BOP would like to address the following specific areas in the draft webpage:

Areas of Strengths and Areas for Improvement in Handling the Pandemic: Clarification should be added to the narrative to clarify that respondents did not rank these selections and thus, neither comparisons nor correlations can be made between categories, departments, or sites. In addition, from a consistency standpoint, none of the other charts were broken down to a particular department for comparison. Given the limitations at the beginning of the paper, "The views expressed in the staff responses may not necessarily reflect actual circumstances or the BOP's official policies, practices, or procedures. Survey results displayed on this page are perceptions reported by staff rather than OIG findings about how the BOP or its individual institutions have managed the COVID-19 pandemic," it gives the appearance that the OIG is particularly focusing on the Executive Staff.

Conclusion: A number of staff indicated resistance to receiving the vaccine; however, this issue may also be addressed and resolved as the BOP moves forward fulfilling the Presidential Executive Order of mandatorily vaccinating the DOJ workforce. As noted in the survey, the BOP has multiple resources to support newly-hired staff as well as seasoned staff members alike. The BOP continually explores additional ways to leverage support resources to provide support and retain staff during this global pandemic.

OIG Analysis of the BOP's Response

The Office of the Inspector General provided a draft of this webpage to the BOP for its comment. The BOP's response is included above.

In response to the BOP's overall comments, the OIG acknowledges the complex challenges that the BOP has faced in managing the COVID-19 pandemic, including the pandemic's evolving nature and the BOP's close coordination with the Centers for Disease Control and Prevention (CDC) to ensure that BOP procedures and practices adhere to CDC guidance on preventing and mitigating transmission of COVID-19. The OIG also acknowledges that this survey measured staff perspectives reflective of a static point in time (February 2021) during an evolving pandemic and that those perspectives cannot be used to evaluate the BOP's actual performance. The OIG added a statement to this effect in the "Limitations" section and moved the "Limitations" and "Disclaimer" sections to the top of the webpage.

In response to the BOP's comments on the "Areas of Strengths and Areas for Improvement in Handling the Pandemic" section, the OIG added language to clarify that respondents did not rank the selections and, thus, neither comparison nor correlations can be made among categories, departments, or sites. The OIG also added language to make clear that we highlight survey responses from one department as an example to show that staff from different departments had different perspectives on which aspects of the BOP's response to the pandemic were going well and which could be improved.

In response to the BOP's comments on the "Conclusion" section, the OIG added language discussing the September 9, 2021 Executive Order that requires federal employees to be vaccinated against COVID-19.