

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

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September 27, 2021

The Honorable Janet L. Yellen
Secretary of the Treasury
Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220


Dear Secretary Yellen:

I have been informed that the State of Alabama is planning to allocate hundreds of millions of dollars from funding it will receive from the American Rescue Plan (ARP) to help pay for the construction of new prisons. Directing funding meant to protect our citizens from a pandemic to fuel mass incarceration is, in direct contravention of the intended purposes of the ARP legislation and will particularly harm communities of color who are already disproportionately impacted by over-incarceration and this public health crisis.

The answer to the problem of prison overcrowding and aging facilities is not the construction of more prisons, rather it is to invest directly in better care for individuals currently incarcerated and to take meaningful steps to decarcerate whenever possible. The ARP is a historic effort to provide urgent assistance in a time of great suffering. It should not be used to worsen our national problem of over-incarceration.

Therefore, I ask that you take all appropriate steps to prevent the misuse of ARP funding by any state, including Alabama, that seeks to direct this financial assistance to the expansion of its prison system. I am ready to provide any further background or assistance that may be helpful to you in this regard. This is an urgent matter and as I understand it, Governor Ivey will convene a special session on Monday at 4pm with votes expected to take place on Tuesday and Wednesday and I ask for your immediate consideration and action.

Sincerely,



Jerrold Nadler
Chairman

cc: The Hon. Jim Jordan, Ranking Member