

2024 Current Fiscal Year Report: National Institute of Corrections Advisory Board

Report Run Date: 04/26/2024 12:22:38 PM

1. Department or Agency

Department of Justice

2. Fiscal Year

2024

3. Committee or Subcommittee

National Institute of Corrections
Advisory Board

3b. GSA

Committee No.

83354

4. Is this New During Fiscal Year?

5. Current Charter

6. Expected Renewal Date

7. Expected Term Date

No 09/14/2023 09/14/2025

8a. Was Terminated During Fiscal Year?

8b. Specific Termination Authority

8c. Actual Term Date

No

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

Not Applicable

10b. Legislation Pending?

Not Applicable

11. Establishment Authority

Statutory (Congress Created)

12. Specific Establishment Authority

18 USC - 4351(b)

13. Effective Date

09/07/1974

14. Committee Type

Continuing

14c. Presidential?

No

15. Description of Committee

Other Committee

16a. Total Number of Reports

No Reports for
this Fiscal Year

17a. Open

0

17b. Closed

0

17c. Partially Closed

0

Other Activities

0

17d. Total

0

Meetings and Dates

No Meetings

Current Next
FY FY

18a(1). Personnel Pmts to Non-Federal Members	\$0.00 \$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00 \$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00 \$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00 \$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00 \$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00 \$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00 \$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00 \$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00 \$0.00
18d. Total	\$0.00 \$0.00
19. Federal Staff Support Years (FTE)	0.00 0.00

20a. How does the Committee accomplish its purpose?

The Advisory Board may analyze, review and examine work products, legislation, research, fiscal and technical support, policies, regulations, practices or operations of correctional agencies in order to execute the above cited objectives. See generally 18 U.S.C. § 4351.

20b. How does the Committee balance its membership?

Under 18 U.S.C. §§ 4351(b) and (c), the Advisory Board shall consist of sixteen members. The following six individuals shall serve as members of the Board ex officio: the Director of the Federal Bureau of Prisons or his designee, the Assistant Attorney General for the Office of Justice

Programs or his designee, Chairman of the United States Sentencing Commission or his designee, the Director of the Federal Judicial Center or his designee, the Associate Administrator for the Office of Juvenile Justice and Delinquency Prevention or his designee, and the Assistant Secretary for Human Development of the Department of Health and Human Services or his designee. The remaining ten members of the Board shall be selected by the Attorney General of the United States, after consultation with the Federal Bureau of Prisons and the NIC. Five of these shall be qualified as a practitioner (Federal, State, or local) in the field of corrections, probation, or parole, and shall serve for staggered three-year terms. Five of these members shall be from the private sector, such as business, labor, and education, having demonstrated an active interest in corrections, probation, or parole, and shall serve for staggered three-year terms.

20c. How frequent and relevant are the Committee Meetings?

The Advisory Board is authorized to meet up to a quarterly basis, but typically meets approximately 2-3 times per year.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

Chapter 319 of title 18, United States Code, establishes the duties of the NIC. See 18 U.S.C. §§ 4351-4352. The NIC is headed by a Director, who is appointed by the Attorney General after consultation with the Advisory Board. See 18 U.S.C. § 4351(b). Section 4331(b) of title 18 directs that the overall policy and operations of the NIC shall be under the supervision of an Advisory Board.

20e. Why is it necessary to close and/or partially closed committee meetings?

Two board meetings (January 24 0 25, 2023, and September 13, 2023) were partially closed to allow for a sub-committee briefing to the Board on NIC Director recommendations to the Attorney General.

21. Remarks

The overall policy and operations of the NIC are under the supervision of the Advisory Board. In general, the NIC provides training, technical assistance, information services, and policy/program development assistance to Federal, state, and local corrections agencies; through cooperative agreements, awards funds to support program initiatives; and provides leadership to influence correctional policies, practices, and operations nationwide in areas of emerging interest and concern to correctional executives and practitioners as well as public policymakers. The Advisory Board will help develop long-range plans, advise on program development, and recommend guidance to assist the NIC's efforts in these areas.

Designated Federal Officer

Leslie Susan LeMaster DFO

Committee Members	Start	End	Occupation	Member Designation
Baldwin, John	09/07/2021	09/06/2024	Iowa and Illinois Departments of Correction (Retired Director)	Representative Member
Broderick, Barbara	09/07/2021	09/06/2024	Maricopa County Adult Probation (retired)	Representative Member
Carney, Blanche	09/06/2022	09/06/2025	Commissioner, Philadelphia Prison System	Representative Member

Chambers-Smith, Annette	09/07/2022	09/06/2025	Director, Ohio Department of Corrections and Rehabilitation	Representative Member
Clarke, Harold	09/07/2022	09/06/2025	Director, Virginia Department of Corrections (Retired)	Representative Member
Cooke, John	10/01/2021	01/19/2025	Director, Federal Judicial Center	Ex Officio Member
Hawk-Sawyer, Kathleen	09/07/2021	09/06/2024	Director, Federal Bureau of Prisons (Retired)	Representative Member
Johnson, Lynn	03/19/2021	01/19/2025	Secretary, Health and Human Services	Ex Officio Member
May, Teresa	09/06/2022	09/05/2025	Director, Harris County Community Supervision and Corrections Department (TX)	Representative Member
Moore, Kahrlton	01/20/2021	01/19/2025	Director, Bureau of Justice Assistance Sheriff,	Ex Officio Member
Morgan, Gabriel	09/07/2021	09/06/2024	Newport News Sheriff's Office (VA)	Representative Member
Peters, Colette	08/10/2020	01/20/2025	Director, Federal Bureau of Prisons	Ex Officio Member
Reeves, Carlton	09/01/2022	01/19/2025	Chair, United States Sentencing Commission	Ex Officio Member
Ryan, Liz	01/20/2021	01/19/2025	Administrator, Office of Juvenile Justice and Delinquency	Ex Officio Member
Tuthill, Patricia	09/07/2021	09/06/2024	Founder, Peyton Tuthill Foundation	Representative Member

Wilkinson,			Ohio
Reginald	09/07/2022	09/06/2025	Department of
			Corrections
			and
			Rehabilitation
			Director
			(Retired)
			Representative
			Member

Number of Committee Members Listed: 16

Narrative Description

The overall policy and operations of the NIC are under the supervision of the Advisory Board. In general, the NIC provides training, technical assistance, information services, and policy/program development assistance to Federal, state, and local corrections agencies; through cooperative agreements, awards funds to support program initiatives; and provides leadership to influence correctional policies, practices, and operations nationwide in areas of emerging interest and concern to correctional executives and practitioners as well as public policymakers. The Advisory Board helps to develop long-range plans, advise on program development, and recommends guidance to assist the NIC's efforts in these areas.

What are the most significant program outcomes associated with this committee?

	Checked if Applies
Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

Checked if Applies

None	<input checked="" type="checkbox"/>
Unable to Determine	<input type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

Cost Savings Comments

Not Applicable

What is the approximate Number of recommendations produced by this committee for the life of the committee?

35

Number of Recommendations Comments

Specific recommendations/guidance to NIC have included: (1) develop and implement strategies for increasing NIC staffing (as of Q4 of FY22, NIC was at a 71% staffing level, with 34 of 48 positions filled; (2) fill vacant/expiring NIC Advisory Board positions, appointed by the AG; (3) implement internal infrastructure plans developed by NIC (e.g., securing a Technical Assistance Management and Information System (TAMIS) and contractual IT support (both contingent on budget restoration and contracting timelines supported by BOP); and (4) continue to monitor and support the appointment of a permanent Director for NIC. Same guidance applies for FY2023.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

25%

% of Recommendations Fully Implemented Comments

Number correlated to the list of recommendations above: (4) potential NIC director names were submitted to the AG by the Advisory Board twice in calendar year 2017 and once in calendar year 2018 (FY19). As a number of new Advisory Board members were appointed in February 2020, Chairperson Peters initiated a new review of potential NIC

Director candidates with the Board in June 2021 and made a new set of recommendations with the Board's concurrence. During this process, the Advisory Board was supported by an alternate DFO specific to this work; the NIC Acting Director and "regular DFO" was/is recused from this process, and any closed meetings where this topic is under discussion (100% implemented). 100% implemented for FY2023.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

75%

% of Recommendations Partially Implemented Comments

Numbers correlated to the list of recommendations above: (1) NIC has worked with BOP Human Resources to utilize other hiring strategies (e.g., temporary promotions from within BOP and continued use of Intergovernmental Personnel Act temporary hires) and has been given authority to hire up to agency authorized FTE allotment of 48. The hiring process has been underway since late FY2020 and - like many other federal and law enforcement-related agencies - hiring post-pandemic is extremely challenging. (1) During FY22, NIC hired seven (2) staff, had two (2) retirements and one (1) promotion, resulting in a net decrease of one (1) staff year over year for the agency. As increased work flexibilities are being implemented at the DOJ/BOP/NIC levels, it is anticipated that hiring and retention will improve in FY23 as staff wellness/work-life balance will be improved. (80% implemented) (2) Although this was fully implemented in FY20 (and reported accordingly via the FACA database), it has been put back into FY21 and continues to be in the FY22 report as new vacancies arose in both fiscal years. As of the end of FY22, the Advisory Board does not have a quorum and cannot meet. As of December 16, 2022, the NIC Advisory Board has a quorum of duly appointed members and can meet in FY2023. Acting Director Vanek worked with BOP/DOJ to recommend members for reappointment/appointment to the Board. While appointments were initially delayed in FY20, the ten (10) public and private sector members were appointed/reappointed in February 2020 (FY20), resulting in a full 16-member board. Since then, seven (7) terms have expired over two years. Appointment recommendations for terms expiring in September 2021 were submitted to DOJ in August 2021 (no action to date). NIC Acting Director - with the support of the newly appointed BOP Director - will be consolidating the previous recommendations with additional new recommendations for submission to the DOJ in early FY23 to restart this process. As of December 16, 2022, this has been completed and NIC has a full board (100% implemented). (3) In the absence of adequate agency funding going into FY22, NIC identified and explored obtaining other federal funding to develop and implement a TA MIS system. Since 2013, NIC has been without a TA MIS and has been required to manage a key database by antiquated means

(spreadsheets and emails). An application was submitted to the federal Technology Management Fund in early FY22 but was denied in February 2022. Once NIC's programmatic budget was restored in May 2022, it began the contracting/solicitation process to fund this work internally, and a contract was awarded in September 2022. Work has already begun and is expected to be piloted by the end of FY23. (80% implemented). TAS system is anticipated to begin pilot launch in the second quarter of FY2024. This is the agency's current status in FY2023.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

The NICAdvisory Board has a positive working relationship with the agency and provides useful assistance to the NIC Executive Staff, aiding them in making decisions that impacts the field of corrections. There is an open line of communication between the Acting Director, Holly Busby, and the Advisory Board leadership. Both formal (during meetings) and informal (during periodic telephone calls/in person meetings at other events) communications occur. Formal feedback is provided at scheduled board meetings.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input checked="" type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

Due to significant reductions in NIC's programmatic budget resources from the agency standard \$14.6M budget in fiscal years 2017 (30%), both 2018 and 2019 (48%), 2020 (38%), and 2021 (44%), as well as reduced staffing due to hiring restrictions (2017-2020) / regular retirements and promotions (71% with 34 of 48 positions filled), the NIC Advisory Board provided guidance on NIC programmatic priorities (e.g., the greatest areas of need in the field of corrections). These recommendations aligned with the direction the Acting Director had taken with her executive team, with direction to identify priority areas to address once funding became available. The programmatic budget was restored in May

2022, back to \$14.6M. This will continue to be an area of work for NIC leadership as well as oversight by NIC's Advisory Board in FY2023 and forward.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

NA

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

Access Comments

NA