



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

# Memorandum

Washington, D.C. 20590

Subject Convict Labor and Convict Produced Materials Date FEB - 5 1988

From Associate Administrator for Engineering and Program Development Reply to Attn of HHO-32

To Regional Federal Highway Administrators

Attached is a copy of a final rule on convict labor and convict produced materials (Attachment #1) which was published in the Federal Register on January 25, 1988.

The final rule prohibits the use of materials produced by convict labor on Federal-aid highway construction projects unless (1) produced by convicts who are on parole, supervised release, or probation or (2) if produced by convicts in a qualified prison facility, the quantity is limited to the amount produced during the 12-month period ending July 1, 1987.

Prison facilities are limited to quantities previously reported to this office. States should develop appropriate methods consistent with their standard procedures to ensure that the quantities are not exceeded.

Division office approval of convict produced materials on Federal-aid projects should remain unchanged. Our present procedure was outlined in Mr. Leathers' memorandum on Procurement of Signing Material, dated May 9, 1985. A copy of the memorandum is attached for your reference (Attachment #2).

Revisions to the companion documents, FHPM 6-4-1-6 and 6-4-1-16, have been prepared and will be issued shortly.

ORIGINAL SIGNED BY  
RONALD E. HEINZ  
Ronald E. Heinz