

Congress of the United States
Washington, D.C. 20510

April 20, 2020

Acting Director Matthew Albence
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th St. SW
Washington, D.C. 20536

Dear Acting Director Albence,

We write with serious concerns about the public health risks of detainees and staff at detention facilities operated by U.S. Immigration and Customs Enforcement (ICE) and contract facilities nationwide during the coronavirus (COVID-19) outbreak. We believe that the COVID-19 outbreak across the country requires the agency to be more transparent regarding the impact of COVID-19 on detainees, their employees, and the public.

As of today, the ICE.gov website reports 30 confirmed cases of COVID-19 among ICE employees working in ICE detention facilities. However, we recently confirmed that this number does not include confirmed cases among private employees at ICE contract detention facilities. As an example, ICE.gov is currently reporting two positive cases of COVID-19 among employees at the Aurora Contract Detention Facility and zero at the Otero County Processing Center. These numbers do not include three employees of the GEO Group, the contractor at Aurora, and one employee of MTC, the contractor at Otero, who recently tested positive according to ICE and the regional health department.

We believe that this oversight amounts to underreporting. All employees, regardless of whether employees in question receive their paycheck from ICE or a private contractor, should be reported. Family members of those in custody and the general populations in neighboring communities should be aware of all potential COVID-19 exposure in detention facilities.

The situation is compounded by our concern about the U.S. Department of Homeland Security's ability to protect the health and safety of detainees and their staff. Last year, detention facilities in Colorado, Arizona, and Texas instituted quarantines in response to viral disease outbreaks among their detainee populations. Despite these public health issues, ICE expanded capacity and transferred detainees into facilities impacted by these outbreaks. At the end of the viral disease outbreak, the CDC reported a total of 898 confirmed and 19 states reported probable mumps cases in adult migrants detained in 57 facilities (34 contract detention facilities, 19 county jails that housed detainees, and four ICE-operated) between September 1, 2018 and August 22, 2019. There were 33 confirmed cases among the facility staff.


We ask ICE to immediately provide data related to the following:

- Number of confirmed cases of COVID-19 among those currently in ICE custody; and

- Number of confirmed cases of COVID-19 among non-ICE employees working in ICE contract detention facilities.

These incidents have raised serious questions about the existing public health standards and procedures in both detention facilities operated by ICE and contract facilities nationwide. Omitting positive cases among contracted employees is not in line with the American precepts of transparency, accountability, and good governance. In light of this revelation, we request ICE to provide the data requested and make it available on their website. This information would ensure the health and safety of the detainees in our government's care, while also protecting the well-being of the neighboring communities during this public health crisis.

Sincerely,



JASON CROW
Member of Congress

JERROLD NADLER
Member of Congress

ZOE LOFGREN
Member of Congress

BARBARA LEE
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