

**U.S. House of Representatives**  
**Committee on the Judiciary**  
Washington, DC 20515-6216  
One Hundred Sixteenth Congress

March 13, 2020

Mr. Matthew T. Albence  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12th Street, SW  
Washington, DC 20536-5003

Dear Acting Director Albence:

This week, the World Health Organization declared the novel coronavirus (COVID-19) a global pandemic, with reports of confirmed cases in the United States continuing to increase daily. At this stage, it is critical that aggressive measures are taken—in both the private and the public sector—to mitigate the spread of this deadly virus. As such, I write to inquire about the measures being taken or under consideration by Immigration and Customs Enforcement (ICE) to ensure the health and safety of individuals in its custody and the staff and contractors who work in ICE detention facilities.

Today, ICE detains 38,000 people in more than 130 private and state-run detention facilities across the country and employs over 20,000 people in 400 offices around the world.<sup>1</sup> Under the Trump Administration, the number of ICE detention beds has grown significantly while conditions in many of those facilities have deteriorated.<sup>2</sup> Individuals in ICE detention are often housed in close quarters together with individuals in poor health, making them highly vulnerable to contagious disease.<sup>3</sup>

In this unprecedented time, ICE must proactively consider aggressive measures to reduce the spread of COVID-19, including a reduction in the overall number of detainees in ICE

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<sup>1</sup> ICE Currently Detained Population as of March 7, 2020, *Immigration and Customs Enforcement*, <https://www.ice.gov/detention-management>; Occupations, *Immigration and Customs Enforcement*, <https://www.ice.gov/careers/occupations>.

<sup>2</sup> Amy Taxin, *Detained Immigrants Sue Over Conditions, Medical Care*, ASSOC. PRESS (Aug. 19, 2019), <https://apnews.com/85e0297896ce4d12a0be7e3ebd0920fa>.

<sup>3</sup> Abigail Hauslohner, Nick Miroff, and Matt Zapotosky, *Coronavirus Could Pose Serious Concern in ICE Jails, Immigration Courts*, WASH. POST (Mar. 12, 2020), [https://www.washingtonpost.com/immigration/coronavirus-immigration-jails/2020/03/12/44b5e56a-646a-11ea-845d-e35b0234b136\\_story.html](https://www.washingtonpost.com/immigration/coronavirus-immigration-jails/2020/03/12/44b5e56a-646a-11ea-845d-e35b0234b136_story.html).

custody. Toward this end, ICE should consider alternatives to detention for those who pose no threat to public safety or national security, particularly those who are at a heightened risk of developing serious illness from COVID-19, such as the elderly and individuals with heart or lung conditions, diabetes, or compromised immune systems. ICE should also take steps to ensure that such individuals are not detained until the spread of the virus has sufficiently subsided.

Because of these serious concerns, I ask that you provide answers to the following questions not later than March 20, 2020:

1. Has ICE provided guidance or direction to field offices related to COVID-19? If so, please provide the guidance.
2. Have additional measures been taken with respect to sanitation and hygiene in ICE detention facilities, including changes in cleaning protocols and an increase in the availability of soap, sanitizers, and tissues?
3. Are COVID-19 testing protocols being implemented in ICE detention facilities, including contract facilities?
4. Are COVID-19 test kits available at ICE detention facilities? If so, how quickly are test results being released?
5. Are individuals entering ICE detention facilities being tested at the time of intake? If not, why not? Conversely, are detainees being tested at the time of their release from ICE detention facilities?
6. Are any detainees in ICE custody being monitored due to signs of infection?
7. What measures have been taken to ensure that detainees who test positive for COVID-19 receive proper treatment? What is the protocol for determining whether to transport a detainee who has tested positive for COVID-19 to a hospital?
8. What measures have been taken to protect healthy individuals from exposure to those who test positive?
9. Have there been any changes to staffing policies with respect to staff members who develop symptoms of COVID-19?
10. Are special measures being taken to ensure that facilities are staffed at appropriate levels at all times?

Sincerely,

A handwritten signature in blue ink that reads "Jerrold Nadler". The signature is fluid and cursive, with the first name "Jerrold" being more prominent than the last name "Nadler".

Jerrold Nadler  
Chairman  
House Judiciary Committee

cc: The Honorable Jim Jordan, Ranking Member, House Committee on the Judiciary