

United States Senate
WASHINGTON, DC 20510

July 16, 2020

The Honorable Chad Wolf
Acting Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

The Honorable Matthew Albence
Acting Director
U.S. Immigration and Customs Enforcement
Washington, D.C., 20024

Dear Acting Secretary Wolf and Acting Director Albence:

We write to follow up on our June 26, 2020 letter regarding detainee transfers and conditions at the Immigration and Customs Enforcement (ICE) detention facilities in Farmville, Virginia, and Bowling Green, Virginia, to which we have not received a response. There are now 287 confirmed cases of COVID-19 amongst detainees, which is approximately 80% of the population housed at Farmville, and 26 confirmed cases amongst staff members.

Despite the recent surge in cases of the novel coronavirus (COVID-19) across the country, it is our understanding that ICE has not halted interstate detainee transfers between facilities. If this is true, ICE is continuing to endanger the health and safety of detainees and workers, as evidenced by the recent outbreak at the Immigration Centers of America Farmville (Farmville ICA) facility.

In early June, ICE transferred over 70 detainees to Farmville ICA from COVID-19 hotspots in Florida and Arizona. Within two weeks of their transfer, more than half of these detainees tested positive for COVID-19. As we stated in our June 26 letter, prior to the transfers, the facility had only a few cases of the virus. ICE is endangering a staggering number of lives of detainees, staff, and the surrounding Farmville community because of its decision to transfer detainees during the pandemic.

In order to assist in keeping the Commonwealth safe, we have several questions concerning how ICE is protecting the health of individuals in your custody, staff members, and the community. Due to the rapidly rising number of COVID-19 cases at the Farmville detention facility, please reply by July 31, 2020.

1. Has ICE halted all transfers of detainees among detention facilities? If not, when was the last detainee or group of detainees transferred, and what were the original and final destinations?
 - a. If all transfers have been halted, does ICE plan to resume transfers anytime soon? If so, please provide details, including when ICE expects to begin transfers and at which facilities.

2. Did ICE distribute its COVID-19 Pandemic Response guidance to all detention facilities, and if so, on what date?
 - a. How does ICE ensure detention facilities are implementing proper quarantine and isolation protocols?
 - b. How does a detention center solicit help in containing a COVID-19 outbreak?
3. Please explain in detail how ICE tracks COVID-19 cases in detention facilities and how quickly ICE updates its website with new numbers of cases.
4. Is ICE notifying state and local health departments when a detainee who previously tested positive is released so that community experts can ensure appropriate contact tracing? If so, what are the procedures for such notifications? If not, why is ICE choosing not to share this information with state and local health departments?

Finally, as we witness almost the entire detainee population at Farmville testing positive for COVID-19, we ask that you work with the Centers for Disease Control and Prevention (CDC) to create and deploy teams of epidemiologists to conduct an overall assessment of the situation and confirm the seriousness of the spread in the Farmville facility.

It is incumbent upon ICE to prioritize the health and well-being of its detainees and staff, and at the same time it must also protect the communities that its facilities inhabit. ICE must not view its facilities as silos in the fight to mitigate the spread of COVID-19 and should allow local health authorities access and information to protect our communities.

We appreciate your attention to these issues and look forward to hearing from you soon.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator

cc: Dr. Robert Redfield, Director of Centers for Disease Control and Prevention