

**Congress of the United States**  
**Washington, DC 20510**

September 27, 2021

The Honorable Alejandro Mayorkas  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
2801 Nebraska Ave, NW  
Washington, DC 20528

The Honorable Tae D. Johnson  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12th St, SW  
Washington, DC 20536

Dear Secretary Mayorkas and Acting Director Johnson:

We write regarding the more than 300 COVID-19 cases recorded since June 6<sup>th</sup> in a COVID-19 outbreak that has had a significant and detrimental impact on individuals who are detained and work at the Northwest Immigration and Customs Enforcement (ICE) Processing Center (NWIPC) in Tacoma, Washington.<sup>1</sup> We have received multiple reports concerning the conditions of confinement and a consistent lack of, or refusal to adhere to, evidence-based health mitigation measures in the facility as well as during the process of transferring individuals to the facility. These actions have endangered detained migrants and staff in the ICE detention center, leading to the current major outbreak and continued spread of COVID-19 at the facility.

We urge the Department of Homeland Security (DHS) and ICE to take immediate action to address this current outbreak and mitigate against future outbreaks. We understand that state and local public health officials have made requests and suggestions to mitigate against outbreaks within the NWIPC and improve coordination during the release of individuals from NWIPC. We also strongly encourage DHS to exercise its discretion to utilize alternatives to detention and prioritize the release of individuals, especially vulnerable individuals and those at higher medical risk, who do not need to be in detention.

Of the positive cases reported at NWIPC, advocacy groups have indicated that there are now more than 18 positive cases in GEO guards; at least two units with about 70 people total have been placed in quarantine due to the guards exposing people detained to the virus. They have also informed us there is at least one ICE Health Service Corps employee who is COVID-19 positive that worked in the medical isolation area. ICE argues the NWIPC meets federal public health recommendations for correctional and detention facilities.<sup>2</sup> Prior to air travel, ICE takes

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<sup>1</sup> SF Gate, "Federal judge orders ICE to test detainees for COVID-19," August 24, 2021, <https://www.sfgate.com/news/article/Federal-judge-orders-ICE-to-test-detainees-for-16407644.php>.

<sup>2</sup> Associated Press, "COVID outbreak at facility for immigrant detainees worsens," August 11, 2021, <https://apnews.com/article/health-immigration-coronavirus-pandemic-b3fae9afaaafda711c36e0aceffa0312>.

migrants' temperatures and verbally screens for COVID-19 symptoms; a federal judge recently required testing for all individuals before they are transferred to the facility.<sup>3</sup> Upon arrival at NWIPC, migrants are kept separate until they have received two negative COVID-19 tests. Yet, in a recent interview, a migrant held at NWIPC reported the facility's practices are not consistent with efforts to limit the spread of disease.<sup>4</sup> Three migrants are assigned to sleep in four-person cells, with limited distance between beds. Facility staff do not consistently wear masks or follow cleaning protocols. For court proceedings, there are limited efforts to stagger attendance times, so migrants are in close contact with one another.

Unfortunately, this is not the first instance that unsafe conditions have been reported at the NWIPC, as years of personal interviews with individuals and reports have uncovered inadequate medical care, poor nutrition, unsanitary living conditions, and the exploitation of labor.<sup>5</sup> In addition, the Environmental Protection Agency recently notified NWIPC that its cleaning regimen placed migrants at risk for unsafe exposure to pesticides. Migrants detained at NWIPC are tasked with a daily cleaning regimen that includes 48 distinct applications of GS Neutral Disinfectant Cleaner and Sani-T-10 Plus, both of which can cause severe skin burns and serious eye damage, according to the manufacturer, Spartan Chemical Company, Inc.<sup>6</sup> Microwaves, sinks, and counters are cleaned with the chemicals nine times a day, and dining tables are cleaned six times a day—before and after each meal. These cleaning protocols were implemented to help stop the spread of the coronavirus, but individuals continue to contract COVID-19 in high numbers.<sup>7</sup>

We are gravely concerned about the health and safety of detained people and staff at the Northwest ICE Processing Center. The lack of adequate safety protocols during transfer, unsafe and cramped living conditions, and failure to adhere to recommendations on masking has fed into the growing COVID-19 outbreak and continued spread within the facility.

The federal government has an obligation to protect the health, safety, and rights of detained individuals and the wellbeing of the staff, families, and the surrounding communities of ICE detention centers. We urge DHS and ICE to take steps to review and improve current practices in transferring and maintaining the health and safety of people within detention at the NWIPC.

Thank you for your attention to this important matter.

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<sup>3</sup> <https://www.sfgate.com/news/article/Federal-judge-orders-ICE-to-test-detainees-for-16407644.php>

<sup>4</sup> South Seattle Emerald, "COVID-19 Outbreak At ICE Detention Center Continues," Luna Reyna, August 11, 2021, <https://southseattleemerald.com/2021/08/11/covid-19-outbreak-at-ice-detention-center-continues/>.

<sup>5</sup> Seattle Times, Editorial, "Opinion: Stop cruel immigration detention: Close the Northwest Processing Center," Thomas Antkowiak and Alejandra Gonza, January 24, 2021, <https://www.seattletimes.com/opinion/stop-cruel-immigration-detention-close-the-northwest-processing-center/>.

<sup>6</sup> Spartan Chemical Company, Inc., "Safety Data Sheet: GS Neutral Disinfectant Cleaner," April 1, 2021, <https://www.spartanchemical.com/sds/downloads/AGHS/EN/3502.pdf>; and "Safety Data Sheet: Sani-T-10 Plus," April 1, 2021, <https://www.spartanchemical.com/sds/downloads/AGHS/EN/3159.pdf>.

<sup>7</sup> KUOW News, "Tacoma detention center gets federal warning after chemicals impact detainee health," June 15, 2021, <https://www.kuow.org/stories/tacoma-detention-center-gets-federal-warning-after-cleaning-chemicals-impact-detainee-health>.

Sincerely,



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Patty Murray  
United States Senator



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Adam Smith  
Member of Congress



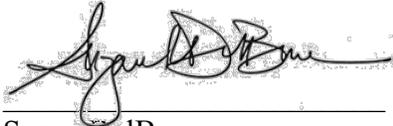
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Maria Cantwell  
United States Senator



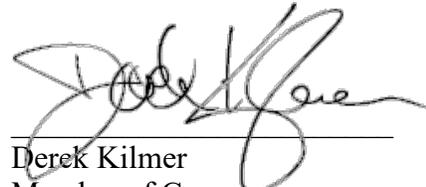
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Rick Larsen  
Member of Congress



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Suzan DelBene  
Member of Congress



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Derek Kilmer  
Member of Congress



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Pramila Jayapal  
Member of Congress



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Kim Schrier, M.D.  
Member of Congress



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Marilyn Strickland  
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