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July 9, 2019

The Honorable Kevin K. McAleenan
Acting Secretary
Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, D.C. 20528

Dear Acting Secretary McAleenan:

I write to express my deep concern regarding the Administration's treatment of migrants and children in detention facilities throughout the country. I write to request that the Department of Homeland Security (DHS) respond promptly with a plan to cure all detention conditions identified by the DHS Office of the Inspector General (OIG) in its recent reports.

On July 2, 2019, the DHS OIG reported that of the 8,000 detainees in custody at the time of the visit, 3,400 detainees were held longer than the 72 hours permitted under the Customs and Border Patrol's (CPB) National Standards on Transport, Education, Detention and Search (TEDS). Fifteen hundred of those detainees were held for more than 10 days. Additionally, 826 of the 2,669 children at these facilities had been held longer than 72 hours, violating the *Flores* Agreement. The report also revealed that a number of single adults were held in standing room only conditions for a week, and others were kept in overcrowded cells for more than a month. Most of the single adults in CBP custody had not showered since their detention, despite several being held for as long as a month.

The report also found that children at three of the five Border Patrol facilities visited had no access to showers, despite TEDS standards requiring that "reasonable efforts" be made to provide showers to children approaching 48 hours of detention. Compounding this dire situation, children have limited access to a change of clothes due to the Border Patrol's lack of spare clothes and no laundry facilities. Two of the facilities did not provide children with hot meals, as required by TEDS standards, until the week of the inspections. Some unaccompanied minors and families were even held in closed cells intended for medical isolation due to the limited space.

The images and information released in the report were profoundly troubling. Earlier this year, you stated that the immigration system "is well beyond capacity and remains at a breaking point," yet this report is another revelation of systemic issues that need serious attention. These issues are not isolated in detention facilities at the southern border. They also expand to facilities across the country under DHS jurisdiction, including detention facilities throughout the interior of the nation. It is imperative that CBP, Immigration and Customs Enforcement and, by extension DHS, prioritize the humane treatment and strict adherence to TEDS standards. Pursuant to the OIG report, I request an account of the measures that DHS intends to enact to ensure that this inexcusable treatment ends.

Thank you for your attention to this urgent matter and I look forward to your response.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Bennet". The signature is fluid and cursive, with a prominent initial "M" and a long horizontal stroke at the end.

Michael F. Bennet
United States Senator