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26TH DISTRICT, NEW YORK

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SUBCOMMITTEE ON TRADE  
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May 5, 2020

James McHenry  
Director  
Executive Office for Immigration Review  
5107 Leesburg Pike, 18<sup>th</sup> Floor  
Falls Church, VA 22041

Matthew T. Albence  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> St., SW  
Washington, D.C. 20536

Director McHenry and Acting Director Albence:

I write to express my continued concerns with the health and safety of all parties at the Buffalo Federal Detention Center located in Batavia, New York while the nation remains under a Public Health Emergency declared on January 31, 2020.<sup>1</sup>

At present, there are over 1.1 million confirmed cases of Coronavirus disease (COVID-19) in the United States.<sup>2</sup> Tragically, nearly 70,000 Americans have lost their lives to this virus. The State of New York has been especially affected, representing more than a quarter of the nation's total confirmed cases. The severity of this crisis is placing immense pressures on state and local governments, as well as regional health care systems, to mitigate and slow the spread of COVID-19.

As you may be aware, public reports show inmates and staff at the Buffalo Federal Detention Center have not been spared from the infectious nature of COVID-19.<sup>3</sup> Yet, Immigration and Customs Enforcement (ICE) has maintained its practice of releasing detainees at local bus stops and gas stations in Western New York. What is

<sup>1</sup> Secretary Azar Declares Public Health Emergency for United States for 2019 Novel Coronavirus, January 31, 2020

<https://www.hhs.gov/about/news/2020/01/31/secretary-azar-declares-public-health-emergency-us-2019-novel-coronavirus.html>

<sup>2</sup> Centers for Disease Control and Prevention, Coronavirus Disease 2019 (COVID-19), Cases in the U.S. <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

<sup>3</sup> "Forty-five cases of COVID-19 confirmed at Batavia detention center", Buffalo News, April 21, 2020 <https://buffalonews.com/2020/04/21/thirty-two-cases-of-covid-19-at-batavia-detention-center/>

more, because of mandatory social distancing measures taken by the State of New York, detainees are being deprived of temporary shelter and resources upon release.<sup>4</sup>

Western New York is home to numerous agencies, receiving federal funding, which commit their time to coordinate and assist immigrants and refugees with resettlement and integration services upon release.

I request that ICE and the Buffalo Federal Detention Center improve their coordination with local agencies to ensure both humane treatment of detainees and a more seamless transition upon their release from detention. Ensuring released detainees have proper shelter and support is important, especially during the ongoing public health emergency. Western New York has an abundance of resources available to help facilitate this collaboration.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins". The signature is written in a cursive, slightly slanted style.

Brian Higgins  
Member of Congress

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<sup>4</sup> "ICE's ill treatment of released detainees" Investigative Post, April 28, 2020 <https://www.investigativepost.org/2020/04/28/ices-ill-treatment-of-released-detainees/>