

# United States Senate

WASHINGTON, DC 20510

February 20, 2025

The Honorable Kristi Noem  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther King, Jr. Avenue SE  
Washington, D.C. 20528

The Honorable Pam Bondi  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Secretary Noem and Attorney General Bondi:

I write with grave concerns regarding reports that thousands of immigrants detained by Immigration and Customs Enforcement (ICE) will soon be housed in Federal Bureau of Prisons (BOP) facilities throughout the country, including in Federal Correctional Institution (FCI) Atlanta.<sup>1</sup> Moving forward with this plan threatens the safety and wellbeing of immigrant detainees, federal inmates, and prison staff alike. I therefore urge you to immediately cease any effort to house immigrant detainees in BOP facilities.

The Trump Administration has tried this before—in 2018, ICE announced that it would send up to 1,600 immigrant detainees to federal prisons around the nation pursuant to an interagency agreement.<sup>2</sup> According to media reports, there were significant problems with that plan: immigrant detainees were “treated as criminals” in the BOP system, “though few – if any – of the detainees had been charged criminally or were serving a criminal sentence.”<sup>3</sup> This raises serious constitutional and human rights concerns that are as present today as they were in 2018.

My office also has heard concerns from BOP employees, who emphasize that they are not prepared for the upcoming influx of immigrant detainees and that it will exacerbate ongoing staffing issues within the BOP system. According to news reports, a BOP employee interviewed about his or her experience housing immigration detainees in 2018 said that it was a “disaster.”<sup>4</sup> Another BOP employee reported that BOP is not currently “equipped with the right tools to house detainees. . . . These people have not been charged with a crime and haven’t been

---

<sup>1</sup> Eric Katz, *Federal prisons to house ICE detainees as Trump furthers immigration crackdown*, Gov. Executive (Feb. 7, 2025), [https://www.govexec.com/management/2025/02/federal-prisons-house-ice-detainees-trump-furthers-immigration-crackdown/402850/?oref=govexec\\_news\\_alert\\_nl&utm\\_source=Sailthru&utm\\_medium=email&utm\\_campaign=GovExec%20Alert:%20Feb.%207%2C%202025&utm\\_term=newsletter\\_ge\\_alert](https://www.govexec.com/management/2025/02/federal-prisons-house-ice-detainees-trump-furthers-immigration-crackdown/402850/?oref=govexec_news_alert_nl&utm_source=Sailthru&utm_medium=email&utm_campaign=GovExec%20Alert:%20Feb.%207%2C%202025&utm_term=newsletter_ge_alert).

<sup>2</sup> Conrad Wilson, *ICE Appears to End Use of Federal Prisons for Immigrant Detainees*, NPR (Oct. 20, 2018), <https://www.npr.org/2018/10/20/658988420/ice-appears-to-end-use-of-federal-prisons-for-immigrant-detainees>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

convicted yet we hold them in a prison with extremely restrictive conditions.”<sup>5</sup> BOP employees have further reported that they are not being provided with training on proper housing and care for immigration detainees.<sup>6</sup>

This is particularly concerning in light of the ongoing staffing crisis BOP has reported faced in recent years.<sup>7</sup> According to the Department of Justice Office of the Inspector General, existing staffing shortages pose risks to inmate safety and have contributed to inmate deaths.<sup>8</sup> Forcing BOP facilities and staff to house additional immigrant detainees stretches their already limited capacity even further, posing greater risk to detainees, incarcerated persons, and staff alike.

For these reasons, I urge you to immediately cease any efforts to house immigrant detainees in BOP facilities. Should you elect to continue forward with this plan, I request a written response or briefing addressing the following questions by March 7, 2025:

1. Have BOP and ICE entered a formal agreement regarding the planned housing of immigrant detainees at BOP facilities? If not, why not? If so, please provide a copy of the agreement.
2. How many total immigrant detainees are currently housed in BOP facilities? Which facilities are currently housing immigrant detainees, and how many each?
3. How many immigrant detainees does ICE plan to house in BOP facilities total? How many will be housed in BOP facilities at a time?
4. Which BOP facilities will house immigrant detainees? How many immigrant detainees is each institution expected to house at a given time?
5. For how long does ICE anticipate that a given immigrant detainee will be housed in a BOP facility?
6. What additional resources are being provided to BOP facilities to ensure they are prepared to house immigrant detainees? In particular, and given ongoing BOP staffing shortages, what additional staff capacity will be dedicated to ensure facilities are prepared to house immigrant detainees?
7. Will immigrant detainees and incarcerated persons be commingled in BOP facilities? If not, how will they be separated?
8. How will immigrant detainees be treated differently than incarcerated persons, if at all?

---

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

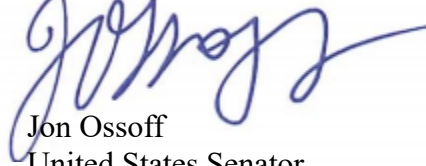
<sup>7</sup> Ryan Tarinelli, *Federal prison director tells senators about staffing ‘crisis’*, Roll Call (Feb. 28, 2024), <https://rollcall.com/2024/02/28/federal-prison-director-tells-senators-about-staffing-crisis/>.

<sup>8</sup> *Evaluation of Issues Surrounding Inmate Deaths in Federal Bureau of Prisons Institutions* 64, 73, Dept. of J. Off. of Inspector Gen. (Feb. 2024), <https://oig.justice.gov/sites/default/files/reports/24-041.pdf>.

9. Will DHS and BOP commit to ensuring immigrant detainees in BOP custody have access to counsel and to outside communications?
10. What alternatives to housing immigrant detainees in existing BOP facilities did DHS consider? How did DHS reach the decision to pursue this plan?

Thank you for your attention to this matter. I look forward to your swift reply.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Ossoff", written in a cursive style.

Jon Ossoff  
United States Senator