

**Congress of the United States**  
**Washington, DC 20515**

February 7, 2019

Ronald D. Vitiello  
Acting Director  
U.S Immigration and Customs Enforcement  
500 12th St., SW  
Washington, D.C. 20536

Dear Acting Director Vitiello:

We were disturbed to hear ongoing reports of hunger strikes at U.S. Immigration and Customs Enforcement (ICE) facilities in Arizona, California, Florida, and Texas.<sup>1</sup> We were equally troubled to learn that several of these individuals are being forced-fed.<sup>2</sup> Upon learning of this, Congresswoman Veronica Escobar, who represents Texas' 16<sup>th</sup> District, immediately went to the El Paso Processing Center where several detainees on strike are being held to conduct oversight.<sup>3</sup> There, she spoke with personnel and six detainees to learn more about their situation and confirmed these reports.

Given that the United Nations recognizes forced-feeding as "tantamount to cruel, inhuman and degrading treatment" it is critical that ICE commit to ending this practice.<sup>4</sup>

Please answer the following questions in writing by February 15<sup>th</sup>:

1. There was a prior hunger strike at the El Paso Processing Center in October 2015.<sup>5</sup> How did the experience of that earlier strike inform agency response in this circumstance? Have there been any changes in policy and/or practice since 2015 in how facility staff respond to a hunger strike?
2. How many detainees are on hunger strike? How many are being forced-fed? Please indicate the ICE facility they are in and whether that facility is administered by ICE or under contract with ICE.
3. How long has each individual on hunger strike been detained in their current facility? What is their total time in ICE custody?
4. Why doesn't ICE employ alternatives to detention in their cases while they await immigration relief?
5. Can you confirm that ICE officials followed the hunger strike protocols as outlined in the Performance-Based Detention Standards?<sup>6</sup>

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<sup>1</sup> <https://www.politico.com/story/2019/01/31/ice-immigrants-hunger-strike-1138316>

<sup>2</sup> <https://www.npr.org/2019/01/31/690578380/ice-confirms-force-feeding-of-detainees-on-hunger-strike>

<sup>3</sup> <https://www.texasmonthly.com/politics/detained-asylum-seekers-el-paso-hunger-strike/>

<sup>4</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16269>

<sup>5</sup> <https://www.nbcnews.com/news/asian-america/south-asian-detainees-seeking-asylum-hold-hunger-strike-n448681>

<sup>6</sup> <https://www.ice.gov/doclib/detention-standards/2011/4-2.pdf>

6. Please describe the decision-making process that led to persons being force-fed, including names and titles of all persons involved in this process, the timeline of this decision, and the rationale for force-feeding. Please state whether ICE medical staff sought a second opinion in cases where they recommend involuntary treatment.
7. Is the same doctor who recommends involuntary treatment also responsible for overseeing the detainees care? If so, why? Is there an oversight process for medical decisions and treatment?
8. Have hunger strike participants undergone a psychiatric evaluation since the start of the strike? Did they undergo a psychiatric evaluation in the 30 or 90 days prior to the start of the strike?
9. Do the medical units where the hunger strikes are occurring have established plans for ensuring the holistic physical and mental health/wellbeing of detainees participating in hunger strikes? If so, please provide a copy of such a plan.
10. Please provide a copy of the court order upon which you rely to force-feed/force-hydrate.<sup>7</sup> Were the detainees shown this ruling? What is your practice regarding showing detainees these court orders?
11. Have any strike participants been hospitalized during the duration of this strike?
12. We have anecdotal evidence that detainees on hunger strikes in the past have faced retribution for their actions.
  - a. What process does ICE have in place to ensure that detainees are protected from such treatment?
  - b. Have any of these detainees reported facing retribution (i.e. being denied certain comforts unless they broke their hunger strike)? If so, please provide a copy of these reports.
  - c. Have any individuals involved in this hunger strike been placed in solitary confinement since they went on strike?
  - d. Were any individuals involved in this hunger strike placed in solitary confinement in the 30 days prior to the start of the strike? Were any individuals involved in this hunger strike placed in solitary confinement in the 90 days prior to the start of the strike? If so, how long were they held in solitary confinement?

We look forward to your engagement with us on this issue and further request daily updates on the hunger strike to our offices. It is critical that ICE officials treat the migrants in their care with dignity and respect. Finally, we welcome a meeting with you to discuss forced-feeding and other areas of concern. Thank you for your attention to this matter.

Sincerely,

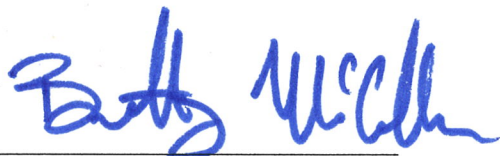
Veronica Escobar  
Member of Congress

Suzanne Bonamici  
Member of Congress

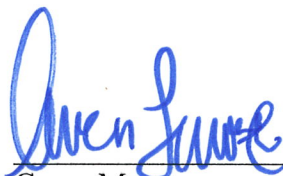
Al Green  
Member of Congress

Adriano Espaillat  
Member of Congress

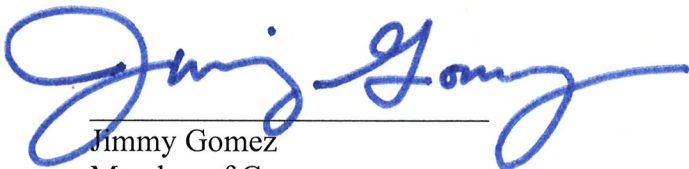
<sup>7</sup> <https://www.nytimes.com/2019/01/31/us/ice-force-feeding-detainees.html>



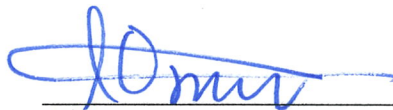
Betty McCollum  
Member of Congress



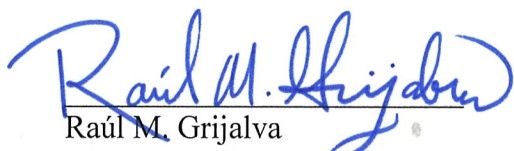
Gwen Moore  
Member of Congress



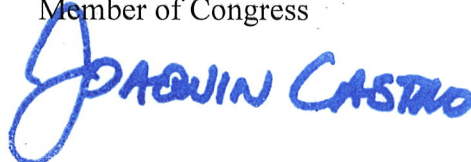
Jimmy Gomez  
Member of Congress




Ilhan Omar  
Member of Congress



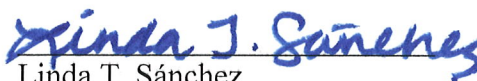
Raúl M. Grijalva  
Member of Congress



Joaquin Castro  
Member of Congress



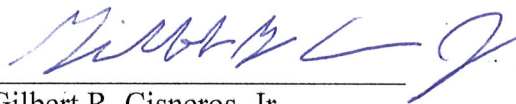
Salud O. Carbajal  
Member of Congress



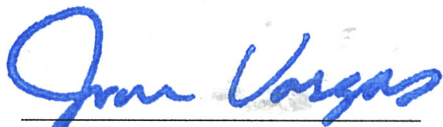
Linda T. Sánchez  
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Gilbert R. Cisneros, Jr.  
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Juan Vargas  
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Debbie Mucarsel-Powell  
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