

Congress of the United States

Washington, DC 20515

June 25, 2025

Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th St. NW
Washington, D.C. 20536

Patricia Hyde
ICE ERO Boston Acting Field Office Director
Boston Field Office
1000 District Avenue
Burlington, MA 01803

Dear Acting Director Lyons and Acting Field Office Director Hyde:

We are alarmed by reports that Immigration and Customs Enforcement (ICE) is detaining people for days at a time at the ICE Field Office in Burlington, Massachusetts — an office building designed to process people for no more than a matter of hours.¹ Because the facility was not designed for overnight detention, individuals are reportedly being kept in inhumane conditions, without beds, showers, clean drinking water, adequate food, or access to health care.² We ask that you promptly provide information regarding the facility's current operations.

The Burlington holding facility is a windowless, concrete office that was never zoned to detain individuals overnight.³ Indeed, when ICE began leasing the building, the agency reportedly assured the local community that “nobody would be detained there overnight.”⁴ Historically, ICE has only used the Burlington field office for administrative intake: when individuals were arrested in Massachusetts, many were brought to the field office in Burlington for processing and were kept there for just a few hours before being transferred to a detention facility.⁵ ICE policy provides that, absent “exceptional circumstances,” no one should be detained in a field office holding facility for more than *12 hours*.⁶

¹ WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

² WBUR News, “Women in ICE’s Burlington office subject to ‘inhumane’ and unsanitary conditions, lawyers say,” Miriam Wasser, June 11, 2025, <https://www.wbur.org/news/2025/06/11/inhumane-detainments-burlington-ice-dhs-women>.

³ *Id.*

⁴ Wicked Local, “A chronology of the ICE controversy,” Arthur Katz, December 5, 2007, <https://www.wickedlocal.com/story/burlington-union/2007/12/06/a-chronology-ice-controversy/39784270007/>; Yahoo News, “Burlington officials say ICE facility where Milford teen was held is not zoned for overnight holding,” Alyssa Azzara, June 16, 2025, <https://www.yahoo.com/news/burlington-officials-ice-facility-where-023318788.html?guccounter>.

⁵ WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

⁶ U.S. Immigration and Customs Enforcement, “Operations of ERO Holding Facilities,” January 31, 2024, p. 7 <https://www.ice.gov/doclib/foia/policy/directive11087.2.pdf>.

But in recent months, ICE has begun using the Burlington office building as a “de facto detention facility”⁷ — often for multiple days at a time.⁸ ICE appears to be increasingly relying on its Burlington office — and other field offices around the country⁹ — for multi-day periods of detention as the Administration pushes to *triple* the number of ICE arrests per day and scrambles to find locations to detain individuals.¹⁰ Yet the Burlington building was never intended to function as a detention center and simply lacks the infrastructure to safely hold individuals beyond a brief processing period.¹¹

As a result, people are reportedly being detained in abysmal conditions, sometimes for over a week.¹² Those conditions have garnered significant public attention since the high-profile arrest of Marcelo Gomes da Silva, an 18-year-old Massachusetts high school student who was held at the Burlington office for six days earlier this month.¹³ Conditions include:

Lack of food and clean drinking water: Food is reportedly scarce. Multiple individuals have reported receiving nothing to eat except crackers — and an insufficient number of crackers at that.¹⁴ A prior New England regional director of ICE once acknowledged: “You will note that we

⁷ WBUR News, “Women in ICE’s Burlington office subject to ‘inhumane’ and unsanitary conditions, lawyers say,” Miriam Wasser, June 11, 2025, <https://www.wbur.org/news/2025/06/11/inhumane-detainments-burlington-ice-dhs-women>.

⁸ WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

⁹ See, e.g., New York Times, “What’s Inside a 10th Floor ICE Office? New York Democrats Want to Know,” Luis Ferré-Sadurní, June 20, 2025, <https://www.nytimes.com/2025/06/20/nyregion/ny-democrats-access-26-federal-plaza-noem.html?smid=nytcore-ios-share&referringSource=articleShare>; Baltimore Banner, “‘It’s scary right now’: ICE holds detainees for days in bedless Baltimore cells,” John-John Williams IV and Daniel Zawodny, March 14, 2025, <https://www.thebaltimorebanner.com/politics-power/state-government/ice-baltimore-trump-immigration-deportation-detention-WNRGQUGLTVHD3MBFV4QUMEKDYM/>; Amica Center for Immigrant Rights, “Immigration advocacy groups sue ICE on behalf of people held illegally in inhumane conditions in Baltimore holding cells,” May 14, 2025, <https://amicacenter.org/press-releases/immigration-advocacy-groups-sue-ice-on-behalf-of-people-held-illegally-in-inhumane-conditions-in-baltimore-holding-cells/>.

¹⁰ Guardian, “Trump administration sets quota to arrest 3,000 people a day in anti-immigration agenda,” Jose Olivares, May 29, 2025, <https://www.theguardian.com/us-news/2025/may/29/trump-ice-arrest-quota>; New York Times, “Trump Shifts Deportation Focus, Pausing Most Raids on Farms, Hotels and Eateries,” Hamed Aleaziz and Zolan Kanno-Youngs, June 13, 2025, <https://www.nytimes.com/2025/06/13/us/politics/trump-ice-raids-farms-hotels.html>.

¹¹ WBUR News, “Women in ICE’s Burlington office subject to ‘inhumane’ and unsanitary conditions, lawyers say,” Miriam Wasser, June 11, 2025, <https://www.wbur.org/news/2025/06/11/inhumane-detainments-burlington-ice-dhs-women>.

¹² WBUR News, “Arrested at Boston immigration court, woman freed after two weeks,” Miriam Wasser, June 20, 2025, <https://www.wbur.org/news/2025/06/20/kary-diaz-martinez-immigration-ice-burlington-detention>.

¹³ CBS News, “Milford, Massachusetts teen returns home after being released from ICE custody,” Brandon Truitt, June 6, 2025, <https://www.cbsnews.com/boston/news/marcelo-gomes-released-milford-massachusetts-teen-ice/>; Associated Press, “A Massachusetts student arrested by ICE on his way to volleyball practice has been released,” Leah Willingham, June 5, 2025, <https://apnews.com/article/marcelo-gomes-ice-massachusetts-arrest-volleyball-1356302a723f6f5b0a95028754f7291e>.

¹⁴ WCVB News, “‘It’s completely inappropriate’: Mass. lawmakers tour ICE facility after release of Milford student,” Jennifer Peñate and Imani Clement, June 5, 2025, <https://www.wcvb.com/article/auhinclloss-moulton-tour-ice-facility-burlington/64985144>; USA Today, “‘Atrocious’: lawyers, family and friends of detainees describe ICE detention,” Ben Adler, June 13, 2025, <https://www.usatoday.com/story/news/politics/2025/06/13/ice-detention-describe-horrible-conditions/84173121007/>.

have no kitchens and no dining rooms, and therefore we cannot keep people overnight or over the weekend.”¹⁵ Additionally, some individuals have reportedly encountered “inadequate and unclean drinking water” at the facility.¹⁶

Overcrowding: Some people are reportedly being detained in small cells with six or more individuals.¹⁷ One account even described three women confined to an 8-by-10-foot room where they could not all lie down at the same time.¹⁸

Sleeping: Individuals — including pregnant women — are reportedly held in rooms without beds or pillows, and they have been forced to sleep on concrete floors with only a single mylar blanket.¹⁹ Some have even reported being forced to sleep on the damp floor of the office bathroom.²⁰ The lights in the facility are reportedly always on.²¹

Hygiene: The facility reportedly does not have adequate showers or sinks, such that individuals cannot wash their hands after using the toilet.²² For example, one woman reportedly went nine days without a shower while detained at the facility.²³ According to reports, individuals also lack sufficient soap, and women have been denied access to menstrual pads and tampons.²⁴

¹⁵ Wicked Local, “A chronology of the ICE controversy,” Arthur Katz, December 5, 2007, <https://www.wickedlocal.com/story/burlington-union/2007/12/06/a-chronology-ice-controversy/39784270007/>.

¹⁶ USA Today, “‘Atrocious:’ lawyers, family and friends of detainees describe ICE detention,” Ben Adler, June 13, 2025, <https://www.usatoday.com/story/news/politics/2025/06/13/ice-detention-describe-horrible-conditions/84173121007/>.

¹⁷ NBC Boston, “Lawmakers denounce deplorable conditions at ICE facility where Milford teen was held,” Marc Fortier and Oscar Margain, June 6, 2025, <https://www.nbcboston.com/news/local/lawmakers-denounce-deplorable-conditions-at-ice-facility-where-milford-teen-was-held/3733924/>; WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

¹⁸ *Id.*

¹⁹ USA Today, “‘Atrocious:’ lawyers, family and friends of detainees describe ICE detention,” Ben Adler, June 13, 2025, <https://www.usatoday.com/story/news/politics/2025/06/13/ice-detention-describe-horrible-conditions/84173121007/>; WBUR News, “Women in ICE’s Burlington office subject to ‘inhumane’ and unsanitary conditions, lawyers say,” Miriam Wasser, June 11, 2025, <https://www.wbur.org/news/2025/06/11/inhumane-detainments-burlington-ice-dhs-women>.

²⁰ USA Today, “‘Atrocious:’ lawyers, family and friends of detainees describe ICE detention,” Ben Adler, June 13, 2025, <https://www.usatoday.com/story/news/politics/2025/06/13/ice-detention-describe-horrible-conditions/84173121007/>.

²¹ WBUR News, “Arrested at Boston immigration court, woman freed after two weeks,” Miriam Wasser, June 20, 2025, <https://www.wbur.org/news/2025/06/20/kary-diaz-martinez-immigration-ice-burlington-detention>.

²² WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

²³ WBUR News, “Arrested at Boston immigration court, woman freed after two weeks,” Miriam Wasser, June 20, 2025, <https://www.wbur.org/news/2025/06/20/kary-diaz-martinez-immigration-ice-burlington-detention>.

²⁴ WBUR News, “Women in ICE’s Burlington office subject to ‘inhumane’ and unsanitary conditions, lawyers say,” Miriam Wasser, June 11, 2025, <https://www.wbur.org/news/2025/06/11/inhumane-detainments-burlington-ice-dhs-women>.

Medical care: Burlington lacks medical facilities, and individuals reportedly do not have access to medical care or mental health care.²⁵

These conditions — inadequate food, drinking water, beds, medical care, hygiene supplies, and more — appear to violate ICE’s own standards. Under ICE’s national detention standards, the agency must provide nutritionally adequate meals, “[c]lean, potable drinking water,” suitable bedding, a “minimum ratio of one shower for every 12 detainees,” sufficient feminine hygiene items, “access to appropriate and necessary medical” care, and more.²⁶ Even under ICE’s policy for short-term holding facilities, which generally must not hold someone for more than 12 hours, ICE must provide holding rooms that are “safe, clean, equipped with restroom facilities,” as well as access to drinking water, “a meal at least every six hours,” medications, and more.²⁷ It is imperative that all ICE facilities used to detain individuals meet the agency’s minimum standards of care. Conditions at Burlington appear to fall below those standards and warrant immediate attention.

Making matters worse, ICE recently changed its policy to shield field offices from public view. As of this month, ICE’s new policy prohibits members of Congress from making unannounced visits to field offices used for detention.²⁸ Meanwhile, ICE is disputing individuals’ reports of what they have personally experienced at field offices.²⁹ In effect, ICE appears to be violating its own detention standards, denying reports of violations, and then preventing the American public’s representatives from witnessing those violations.

We are disturbed that ICE appears to be using the Burlington facility beyond its original design to detain people in inadequate conditions in Massachusetts — and that ICE is undermining public transparency and accountability. To help Massachusetts residents understand this makeshift detention center and how ICE plans to rectify this situation, we request a congressional briefing and answers to the following questions by July 10, 2025:

²⁵ MassLive, “Judge denies ICE transfer of Milford student out of Mass., meeting with lawyer granted,” Luis Fieldman, June 4, 2025, <https://www.masslive.com/news/2025/06/judge-denies-ice-transfer-of-milford-student-out-of-mass-meeting-with-lawyer-granted.html>; WBUR News, “ICE holding immigrants in ‘abysmal’ conditions at Burlington office building, lawyers say,” Miriam Wasser, June 5, 2025, <https://www.wbur.org/news/2025/06/05/ice-burlington-immigration-detention-conditions>.

²⁶ U.S. Immigration and Customs Enforcement, 4.1 Food Service, December 2016, <https://www.ice.gov/doclib/detention-standards/2011/4-1.pdf>; U.S. Immigration and Customs Enforcement, 4.5 Personal Hygiene, December 2016, <https://www.ice.gov/doclib/detention-standards/2011/4-5.pdf>; U.S. Immigration and Customs Enforcement, 4.3 Medical Care, December 2016, <https://www.ice.gov/doclib/detention-standards/2011/4-3.pdf>.

²⁷ U.S. Immigration and Customs Enforcement, Operations of ERO Holding Facilities, January 31, 2024, pp. 6-7, 9, <https://www.ice.gov/doclib/foia/policy/directive11087.2.pdf>.

²⁸ U.S. Immigration and Customs Enforcement, U.S. Immigration and Customs Enforcement (ICE) Facility Visit and Engagement Protocol for Members of Congress and Staff, June 2025, <https://www.ice.gov/doclib/detention/iceFacilityVisitationCongressional.pdf>; U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE) Facility Visits for Members of Congress and Staff, February 2025, <https://www.dhs.gov/sites/default/files/2025-05/ICE%20Facility%20Visitation%20-%20Congressional.pdf>.

²⁹ NBC Boston, “Calls to investigate ICE facility in Mass. over claims it's overcrowded,” Oscar Margain, June 17, 2025, <https://www.nbcboston.com/news/local/burlington-mass-ice-zoning-investigation/3744635/>.

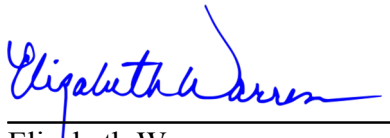
1. How many individuals are being held at the Burlington facility as of June 26, 2025?
 - a. For each individual, please include the number of days that they have been at the Burlington facility.
 - b. How many individuals at the Burlington facility are: minors under age 18, pregnant, seniors, or disabled?
2. What is the Burlington facility's maximum occupancy?
3. What is the median length of time individuals are being held at the Burlington facility, and how does that compare to ICE's stated guidelines or recommendations for this location?
4. What is the maximum amount of time that an individual has been held at this office in the span of the past three months?
5. What medical services, if any, are currently available on-site at the Burlington facility, and how frequently are detainees evaluated by healthcare professionals?
6. What are the ratios of showers and sinks to detained individuals?
7. Please describe the quantity of hygiene products, including soap and menstrual products, made available to individuals detained at the Burlington facility.
8. What types of food are provided to detainees and how often are meals served?
9. What language interpretation services are in place at the Burlington facility?
10. What entities (if any) have conducted independent inspections of the Burlington facility to determine compliance with all applicable detention standards? When was the last inspection of this facility conducted?
11. What procedures are in place to address complaints from detainees, legal counsel, or advocacy organizations regarding mistreatment or unsafe conditions? How many complaints has the Burlington facility received this year?
12. What steps is ICE taking to ensure compliance with all applicable state and local laws and working to rectify any violations of applicable state and local requirements, including requirements related to zoning, permitting, and habitability?
13. What information has ICE provided to local and state officials regarding the increased use of the Burlington field office?
14. Has DHS or ICE changed its policy regarding how the Burlington holding facility is meant to be used? Please provide a copy of any new policy guidance regarding use of this facility.

15. Does ICE believe its Burlington facility complies with applicable detention standards?

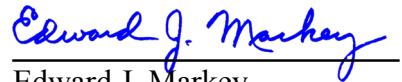
- a. If not, please explain steps ICE is currently taking to bring the facility into compliance with the agency's detention standards.
- b. If so, please explain ICE's basis for reaching that conclusion, in light of the reports mentioned above, and more.

Thank you for your attention to this matter.

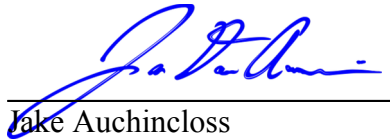
Sincerely,



Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



Jake Auchincloss
Member of Congress



Seth Moulton
Member of Congress



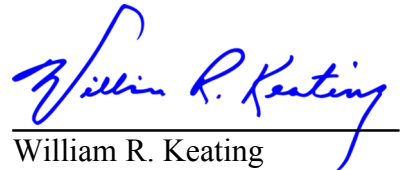
Stephen F. Lynch
Member of Congress



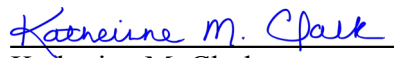
James P. McGovern
Member of Congress



Richard E. Neal
Member of Congress



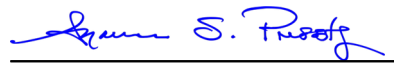
William R. Keating
Member of Congress



Katherine M. Clark
Member of Congress



Lori Trahan
Member of Congress



Ayanna Pressley
Member of Congress