

Congress of the United States
Washington, DC 20515

March 9, 2020

Michael Carvajal
Director of the Federal Bureau of Prisons
U.S. Department of Justice
320 First Street, NW, Room 628
Washington, DC 20534

Dear Director Carvajal:

We write to you today as our communities prepare for and respond to the spread of coronavirus. Due to the unique nature of this virus and high rates of infection often with undetected symptoms, we seek to ensure that the Federal Bureau of Prisons (BOP) is taking appropriate measures to plan, prevent, and, if necessary, contain any potential spread within the federal prison system. Given a growing number of incarcerated individuals are over the age 55 and have chronic illnesses, and for whom an infectious disease outbreak can prove most deadly, it is imperative that a contingency plan be in place. It is our understanding that the Bureau is implementing a questionnaire to identify incarcerated individuals in BOP custody displaying symptoms, and that BOP's protocol are being updated as necessary.¹ However, we are concerned that recent reporting indicates that the Bureau has not yet provided Congress or the public with a detailed coronavirus contingency plan and does not have the necessary supplies in place to limit exposure.²

It is important that incarcerated individuals under federal custody are provided with the appropriate items and care available should conditions warrant. Such care and items must also be provided to employees at these facilities. Notwithstanding these considerations, we are concerned that your agency has not provided a clear action plan. Without an action plan, any spread of coronavirus may be fatal. We respectfully request a summary of your emergency management plan by COB March 11, 2020 addressing the following:

1. At the time of receiving this letter (March 9, 2020), have there been any reported cases of patients with coronavirus symptoms among the incarcerated population? Have there been any reported cases among correctional staff?
2. What guidance has been provided to federal facilities on COVID-19 in the case of a possible outbreak?
3. What training, if any, have BOP received in preparation for coronavirus (please provide detailed training)? How is guidance for medical professionals different than for correction officers or other support staff?

¹ <https://www.businessinsider.com/experts-keeping-prisons-free-of-coronavirus-will-be-a-challenge-2020-3>

² Id.

4. How are federal prisons implementing CDC guidance and best practices to limit the spread of coronavirus?³
5. What public health information is being shared with incarcerated individuals, their families, and other visitors to BOP facilities? How often are relevant updates being shared? Has such information been made available to incarcerated individuals' legal counsel?
6. Will restrictions on alcohol-based hand sanitizer be lifted to mitigate against a potential outbreak? If so, will hand soap and alcohol-based hand sanitizer be readily available to incarcerated individuals at no cost? How will distribution be managed?
7. Has your agency requested additional supplies outlined in question 6? When was such request submitted?
8. Have federal prisons received test kits as of March 9, 2020? If so, which ones and how many have been received? If not, when will a request for test kits be put in?
9. How many healthcare providers work within federal facilities and what is the provider to incarcerated individual ratio for each federal? Based on the ratio, how quickly will medical professionals visit patients suspected of having the coronavirus? What assumptions is your agency considering when calculating the ratio? Has your agency considered alternative scenarios that may impact the ratio and response times of medical professionals working with the BOP?
10. How many samples are your facilities, or the labs you work with, able to test currently? How many hours does it take to get a result and how will patients, families and their legal counsel, hear about said results?
11. If an incarcerated individual or staff are found to be symptomatic, what are the quarantine protocols?
12. What protocols are in place to ensure pregnant women, people over the age of 55, and those with chronic illnesses are being protected and properly cared for? In the event of an outbreak, what plans are in place to treat pregnant women, the elderly, and those with chronic or underlying health conditions?

Thank you in advance for your attention to this matter, we look forward to your response. Given the rapidly involving nature of this virus, we request your response no later than COB March 11, 2020. Further, we welcome an in-person briefing with our staff.

Sincerely,



Representative Ocasio-Cortez (NY-14)



Representative Velázquez (NY-7)



Representative Pressley (MA-7)



Representative Tlaib (MI-13)

³ See <https://www.cdc.gov/coronavirus/2019-ncov/about/prevention-treatment.html>