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CC: U.S. Senate Armed Forces Committee; U.S. Senate Committee on Homeland Security; U.S. Senate Committee on the Judiciary; U.S. House Committee on Oversight and Government Reform; U.S. House Committee on Armed Services; Department of Homeland Security Office of Inspector General; DHS Office of Civil Rights and Civil Liberties

VIA EMAIL AND CERTIFIED MAIL

Re: Coercive Third Country Deportations and Abusive Conditions of Confinement in
Immigration Detention at Fort Bliss, TX (Camp East Montana)

Dear Officers:

We write to raise concerns regarding reports of significant abuse against detained immigrants held at the Camp East Montana immigration detention facility at Fort Bliss in El Paso, Texas ("Ft. Bliss"). These reports, based on interviews with over 45 detained immigrants held at the facility, reveal alarming conditions of confinement and repeated instances of coercion, physical force, and threats against immigrants facing third-country deportations, in violation of agency policies and standards, as well as statutory and constitutional protections.

The Ft. Bliss immigration detention facility is a massive tent camp erected only months ago, located in the middle of the desert on a military base that formerly served as a Japanese

internment camp site during World War II.¹ The facility, which began detaining people on an active construction site, currently holds over 2,700 men and women.² Detained immigrants are held for weeks at a time with no access to the outdoors in cramped, squalid soft-sided tents with 72 people per unit, where toilets and showers flood eating areas with raw sewage. Government oversight reports have already identified significant violations of detention standards at the facility: in September 2025, the *Washington Post* reported that ICE’s own inspectors found that conditions at Ft. Bliss violated at least 60 federal standards within its first 50 days of operation. These violations included failure to provide basic medical care, inadequate portions of food, failure to ensure that contractors’ use of force policy aligned with ICE’s policy, and lack of access to counsel.³

Since the filing of the report, these conditions have only worsened. As immigrants detained at Ft. Bliss report, officers have beaten detainees and used threats of violence, criminal charges, and imprisonment in attempts to coerce people held at Ft. Bliss to leave the United States and cross the border into Mexico, even if they are not subject to a removal order to Mexico. Abusive and dangerous conditions of confinement persist at the facility months after the issuance of ICE’s internal inspection report.

Detained immigrants report that officers have handcuffed and rounded up large groups of non-Mexican detainees at Ft. Bliss, loaded them onto vans, and transported them over an hour away to the U.S.-Mexico border at Santa Teresa, New Mexico. Once at the border, masked officers have instructed detainees to cross the border by “jumping” into Mexico. In some instances, these masked officers have beaten detainees who have refused to cross into Mexico or threatened them with criminal charges and long-term imprisonment. These actions by federal officers are clear violations of statutory, regulatory, and due process protections, including mandatory protections that require meaningful notice and an opportunity to contest a third-country removal on the basis of fear. These actions violate even the Department of Homeland Security’s (“DHS”) protocol for third-country removals,⁴ the legality of which is being challenged in federal court.⁵ Even the agency’s minimal protocol requires officers to provide written notice of a third country removal and, in the absence of a determination that the third country has reliable diplomatic assurances that removed individuals will not be persecuted or tortured, to refer individuals who state a fear of removal to a third country to U.S. Citizenship and Immigration Services (“USCIS”) for an

¹ Kimmy Yam, *Japanese American Groups Blast Use of Fort Bliss, Former Internment Camp Site, as ICE Detention Center*, NBC News, Aug. 20, 2025, <https://www.nbcnews.com/news/asian-america/fort-bliss-japanese-americans-internment-camp-immigrant-detention-rcna226044>.

² Immigration and Customs Enforcement, FY 2026 ICE Statistics, <https://www.ice.gov/detain/detention-management> (last updated Nov. 20, 2025).

³ Douglas MacMillan, Samuel Oakford, N. Kirkpatrick, and Aaron Schaffer, *60 Violations in 50 Days: Inside ICE’s Giant Tent Facility at Ft. Bliss*, Wash. Post, Sept. 16, 2025, <https://www.washingtonpost.com/business/2025/09/16/ice-detention-center-immigration-violations/>.

⁴ A “third country” is a country not previously designated for removal by either an Immigration Judge or DHS in underlying removal proceedings. See Northwest Immigrant Rights Project, Nat’l Immigration Litigation Alliance, and Human Rights First, *Third Country Deportations and D.V.D. v. DHS* (June 27, 2025), <https://immigrationlitigation.org/wp-content/uploads/2025/06/25.05.27-DVD-Practice-Alert.pdf> [<https://perma.cc/2QYP-F2F2>].

⁵ *D.V.D. v. U.S. Dep’t of Homeland Sec.*, 778 F. Supp. 3d 355 (D. Mass. 2025).

eligibility screening for protection from removal.⁶ There is no indication that the United States has received credible diplomatic assurances from Mexico as relevant to this guidance.

In addition, detainee reports reveal shocking conditions of confinement at Ft. Bliss, including multiple incidents of use of force by officers against detainees that involve abusive sexual contact, several of which have required hospitalization. Detained immigrants further report lack of adequate food and the provision of spoiled food, leading to hunger and significant weight loss; inadequate medical care; failure to provide basic hygiene supplies, including soap; squalid conditions, including sewage entering meal areas, and lack of cleaning supplies; prolonged detention in hold rooms; lack of outdoor recreation; and unreasonable barriers to access to counsel.

In light of these abuses, we urge the end to detention of immigrants at Ft. Bliss. We further urge an immediate halt to third-country removals of detained people from Ft. Bliss and a thorough investigation into the circumstances of these removals.

A. Government Officers Use Physical Abuse and Coercive Threats of Prosecution to Deport Non-Mexican Immigrants Held at Fort Bliss to Mexico.

In the past few months, DHS has escalated its efforts to deport people who have final orders of removal but who cannot be removed to their countries of origin, including those who won withholding or Convention Against Torture (CAT) relief, to third countries—typically a country that is not the person’s nation of origin and to which they have no ties. The government must provide meaningful notice and an opportunity to contest removal on the basis of a fear prior to removal to a third country.⁷ DHS’s policy falls woefully short of providing those protections. However, even under ICE’s own guidance, absent credible diplomatic assurances from the receiving country, officers must serve a written Notice of Removal that identifies the intended third country of removal and provide at least six hours for the individual to consult with an attorney. If an individual states a fear of removal to a third country, the officers must refer the case to USCIS for a screening for eligibility for protection from removal.⁸

ICE officers at Ft. Bliss, however, flagrantly violate statutory, regulatory, and due process protections as well as the agency’s own policy—engaging in shockingly abusive measures—in deporting non-Mexican immigrants detained at Ft. Bliss to Mexico. As multiple detainees have reported, including in the sworn affidavits provided here, ICE officers have routinely approached non-Mexican individuals held at Ft. Bliss, and, in most cases, informed them orally that they will be deported to Mexico. When detainees state that they fear being removed to Mexico and decline third country deportation, officers have subjected them to physical abuse, and threats of criminal prosecution and lengthy imprisonment.

⁶ Todd Lyons, *Third Country Removals Following the Supreme Court’s Order in Department of Homeland Security v. DVD*, No. 24A1153 (U.S. June 23, 2025), Jul. 9, 2025, <https://immigrationlitigation.org/wp-content/uploads/2025/07/190-1-July-9-Guidance.pdf> [<https://perma.cc/SBP9-SZUN>].

⁷ *Trump v. J.G.G.*, 604 U.S. 670, 673 (2025) (explaining that “[i]t is well established that the Fifth Amendment entitles [noncitizens] to due process of law in the context of removal proceedings” and requiring notice and an opportunity to be heard before removal to a third country); *Johnson v. Guzman Chavez*, 594 U.S. 523, 557 (2021); 8 C.F.R. § 1208.18(c)(1).

⁸ *Id.*; ICE, Detention and Removal Operations Policy and Procedure Manual, https://www.ice.gov/doclib/foia/dro_policy_memos/09684drofieldpolicymanual.pdf.

For example, in September 2025, officers at Ft. Bliss beat “Isaac,”⁹ a detained immigrant from Cuba, after he told officials he did not want to be deported to Mexico. Isaac was ordered removed by an Immigration Judge to Cuba, but did not want to be deported to Mexico.¹⁰ As Isaac describes, “[t]he guards came into my housing unit and told me I was going to be deported. When I asked them where, they told me I will be taken to Mexico.” After he refused, the officers left, but soon returned with many more guards, who took Isaac out of his cell. As he testified in a sworn declaration, “the guards hit my head” and “slammed it against the wall approximately ten times,” “squeezed and twisted my ankles,” and “grabbed and crushed my testicles between their fingers, which was very painful and humiliating.” As a result of the beating, Isaac “had severe pain behind my ears,” and could not touch the left side of his head without pain for approximately a month. Isaac was then taken to a “punishment room,” where ICE agents “told me to cooperate,” and that “no matter what I am going to be taken to Mexico.” Agents then handcuffed Isaac and approximately 20 other people, placed them on a bus, and drove them over an hour to the border. At the border, the detained immigrants were met by approximately 15 masked agents who informed them that they could get off the bus and cross into Mexico. One officer informed the immigrants that “if we don’t want to go to Mexico, then we would either be sent to a jail cell in El Salvador or Africa.”¹¹

Isaac still refused to be deported to Mexico and was returned to Ft. Bliss. However, in October 2025, three ICE representatives again came to his unit and attempted to have him sign a document providing consent to deport him to Mexico. Isaac refused, but he continues to fear that officers will one day “take us on a bus,” “put bags over our heads,” and “drop us in the middle of the desert to fend for ourselves.”¹²

“Benjamin,” an immigrant from Cuba who has a final order of removal to Cuba from an Immigration Judge,¹³ similarly attests that officers twice attempted to remove him to Mexico from Ft. Bliss, even though he fears deportation to that country. As Benjamin reports, over the course of a week, guards attempted to threaten him into signing a document agreeing to be deported to Mexico. The guards told him that if he did not, that they would handcuff him, put a bag over his head, and send him to Mexico. Benjamin refused to sign the document, stating that he was scared to go to Mexico, because he had heard that migrants are often kidnapped, robbed, or killed there. A week later, two officers informed him that a judge had submitted an order to deport him to Mexico. Benjamin asked for a copy of the order, but the officers told him that they could not show him the document. Officers then cuffed his hands and feet, chained them to a restraint around his waist, and transported him and several other detainees via bus to the border. At the border, seven masked officers without identification badges who “looked like military men” attempted to intimidate Benjamin and five other detainees who had refused deportation by crossing into Mexico. Benjamin and the others continued to refuse, and were eventually transported back to Ft. Bliss. However, upon their return, officers continued to threaten him, in what Benjamin describes as “mental torture.” A few weeks later, officers again told Benjamin that if he did not agree to be

⁹ All detainees are proceeding under pseudonym in light of the threat of retaliation by ICE.

¹⁰ EOIR, <https://acis.eoir.justice.gov/en/caseInformation> (last checked Dec. 2. 2025).

¹¹ Exhibit A, Declaration of “Isaac,” ¶¶ 18-25, Nov. 2025.

¹² *Id.* ¶ 25.

¹³ EOIR, <https://acis.eoir.justice.gov/en/caseInformation> (last checked Dec. 2. 2025).

deported to Mexico, that they would send him to a prison in Arizona for several months, and he would then be sent to Mexico.¹⁴

“Abel,” an immigrant from Cuba, also attested that officers twice attempted to remove him to Mexico from Ft. Bliss even after he told guards that he refused to be sent to Mexico. Abel was ordered removed to Cuba by an Immigration Judge, but did not want to be deported to Mexico, because he feared for his safety there.¹⁵ Abel tried to refuse to board the bus the first time, but an officer “grabbed [him] and slammed [him] down,” ultimately forcing him onto the bus with approximately thirteen other people. Abel’s injuries caused back pain that lasted weeks. When the bus stopped at the border, Abel and the others were met by officers wearing “black masks on their faces with only a hole for their eyes.” Abel began to yell that this was a “kidnapping” and that he did not want to be taken to Mexico. Guards placed metal cuffs over the plastic cuffs already on Abel causing his “wrists [to] hurt where the layered cuffs were.” Abel was eventually returned to Ft. Bliss, but guards again attempted to take him to Mexico several months later. They told him that if he refused to board the bus, they would send him to jail and then to Africa.¹⁶

Other detained immigrants at Ft. Bliss provide similar reports of their own experiences. “Francisco,” a detained immigrant from Guatemala who was granted withholding of removal,¹⁷ reports that ICE officers took him and approximately 45 other detainees at Ft. Bliss to the U.S.-Mexico border for deportation. Officers cuffed his hands and feet and loaded him and other detainees onto a bus. At the border, masked officers instructed the immigrants to “jump over the wall,” because that would be the only way that they would be “free.”¹⁸

“Eduardo,” an immigrant from Cuba, described similar attempts by masked officers to coerce detainees at Ft. Bliss to “jump” across the border to Mexico, after officers transported a truckload of detainees to the border. Eduardo was ordered removed to Cuba by an Immigration Judge, but did not want to be deported to Mexico.¹⁹ As Eduardo states, officers “told me they were going to charge me with federal crimes and I would never get out of this detention if I did not jump. The masked people sometimes beat on people to get them to jump the wall even if they don’t want to. I have seen other people get beaten up and forced to jump. But I did not jump. I do not want to be deported to Mexico.”²⁰

These coercive and abusive attempts at third-country removal violate agency guidance and the statutory and constitutional rights of detained immigrants. We urge an immediate halt to third-country removals of detained people from Ft. Bliss, including to Mexico; a thorough investigation into the circumstances of these removals; and specific investigation into the transportation of third-country nationals from Ft. Bliss to the U.S.-Mexico border, including the actions described herein.

¹⁴ Exhibit B, Declaration of “Benjamin,” ¶¶ 5-8, Nov. 2025.

¹⁵ EOIR, <https://acis.eoir.justice.gov/en/caseInformation> (last checked Dec. 2. 2025).

¹⁶ Exhibit C, Declaration of “Abel,” ¶¶ 7-16, Nov. 2025.

¹⁷ EOIR, <https://acis.eoir.justice.gov/en/caseInformation> (last checked Dec. 2. 2025).

¹⁸ Interview with “Francisco,” Nov. 2025.

¹⁹ EOIR, <https://acis.eoir.justice.gov/en/caseInformation> (last checked Dec. 2. 2025).

²⁰ Exhibit D, Declaration of “Eduardo,” ¶¶ 20-21, Nov. 2025.

B. Immigrants Detained at Ft. Bliss Face Widespread Abuse and Deprivation.

1. Officers at Ft. Bliss Subject Detainees to Egregious Use of Force, Including Abusive Sexual Contact.

Officers at Ft. Bliss have engaged in a widespread and unreasonable pattern and practice of excessive force against detained people, including the use of abusive sexual contact by officers when utilizing force. People detained at Ft. Bliss report that officers have crushed detainees' testicles with their fingers, slammed detained people to the ground, stomped on detained people and punched their faces, and beaten detained people even after they are cuffed and restrained. These instances go far beyond *de minimis* use of force, are objectively unreasonable, and violate common standards of decency. See *Hudson v. McMillian*, 503 U.S. 1, 9-10 (1992); *Kingsley v. Hendrickson*, 576 U.S. 389, 397 (2015). Indeed, ICE's own detention standards clearly instruct that "[o]fficers shall use only the force necessary to gain control of the detainee," and prohibit officers from "[s]triking a detainee for failing to obey an order." U.S. Immigration and Customs Enf't, National Detention Standards 2025 § 2.8 ("NDS 2025"). Moreover, officers are prohibited from sexual contact with detainees, including "[i]ntentional touching of the genitalia . . . that is unrelated to official duties." *Id.* § 2.11.

Officers at Ft. Bliss beat "Samuel," a detained teenager, so severely that he sustained injuries across his body, lost consciousness, and had to be taken to a hospital in an ambulance. Officers piled on to him, body slammed him, and began to beat him after he switched off an overhead light in a housing unit. The officers positioned their bodies to block the view of the security camera in the unit. Samuel's right front tooth broke from the force of being slammed to the ground, and as Samuel attests, one officer "grabbed my testicles and firmly crushed them," while another "forced his fingers deep into my ears." Samuel also recalls that officers "pulled my fingers back very painfully, almost to the point that it felt like my fingers might break," after cuffing him, and punched the area around his mouth. Even then, with Samuel already cuffed, officers continued punching Samuel around his mouth. When the beating finally stopped, an officer held Samuel against the wall. While Samuel was feeling "dizzy" and was "fighting to remain conscious," an officer laughed at Samuel for having a chipped tooth after being slammed to the ground and told Samuel he was "like a little girl."²¹ Samuel's injuries were so severe that he lost consciousness in the medical tent. When he regained consciousness, he was in an ambulance on the way to the hospital. A month and half after the beating, damage to Samuel's left ear is so severe that he now has trouble hearing, and he continue to feel pain in his testicles.²² Although all medical care in detention must be provided at no cost to detainees, NDS 2025 § 4.3(II)(A)(2), Samuel received a medical bill charging him for his emergency visit to the hospital on the night that officers beat him.²³

²¹ Exhibit E, Declaration of "Samuel," ¶¶ 13-16, Nov. 2025; Exhibit Q, Suppl. Declaration of "Samuel," ¶ 6, Dec. 2025.

²² *Id.* ¶¶ 13-16.

²³ Exhibit Q, Suppl. Declaration of "Samuel," ¶ 7, Dec. 2025.

The practice of crushing detainees' testicles during use of force incidents at Ft. Bliss is not isolated. "Isaac," like Samuel, also reports that officers grabbed and crushed his testicles between their fingers as they beat him while attempting to force him into Mexico.²⁴

Detained individuals have also reported guards using force against them for simply requesting basic necessities, such as prescribed medication. After "Eduardo" requested his prescription medications, including for high blood pressure, guards beat him on his ribs, abdomen, and back of his head. He recalls that "guards started stomping on me until I lost consciousness." After the beating, Eduardo was then taken to the hospital, and upon his return to Ft. Bliss, was held in an isolated "punishment cell," in conditions of solitary confinement, for about five days. Eduardo continued requesting his medications after he was released from the punishment cell. In another incident, guards threw him to the ground where his clothes were "torn off" his body and he was left "bruised and bloody." He was again taken to the hospital for the injuries he sustained. Weeks later, guards beat Eduardo for a third time when he requested his medications. They pinned him down on the floor, cuffed him, and hit him in the ribs. He described feeling "humiliated" and like "an animal" for being beaten simply for requesting his medications. He noted that he has witnessed other detained people experience violence and harsh treatment by officers when they ask for basic necessities, including medicine and food. For example, officers have pepper sprayed detained people for making these requests.²⁵

Conditions at the facility have grown so dire, and officers have become so unresponsive to requests for basic necessities such as food and medicine, that detained people have resorted to hunger strikes to draw attention to the conditions at the facility. However, officers have responded with excessive, physical force against detained people engaged in hunger strikes. For example, Noah attests that officers beat him during a hunger strike in his unit. Approximately thirty to forty officers arrived and "started cuffing us and threw us against the floor." Although Noah did not resist, he recalled that "guards put their knees behind my neck and pressed down on my neck," leading to severe pain for days following the incident. Noah also witnessed a guard punch another detained person in the face, causing him to bleed profusely. Noah has become despondent, noting that "when we ask for things, even basic things like medicine, the guards treat us so harshly."²⁶

Officers also beat "German" for protesting inedible food provided to detained people at Ft. Bliss even after they had already cuffed him. Officers double cuffed German and two others by placing metal cuffs over their plastic cuffs and then "slammed [them] against the wall," causing injury to the side of German's head. His wrists and ankles were also hurt from the cuffs, which officers kept on him for hours even after he was placed in an isolated cell.²⁷

Other detained individuals describe officers using force to exacerbate preexisting, visible injuries. "Camilo" witnessed officers stepping on the ankle of a detained man with a preexisting ankle injury. The man was sitting at a shared table and was unable to stand up when guards tried to move the table. Officers then "beat him, stepped on his ankle, and made the injury worse."²⁸ "Isaac," saw a detained person with blood seemingly coagulating in his arm to the point that "it

²⁴ Exhibit A, Declaration of "Isaac," ¶¶ 18-25, Nov. 2025.

²⁵ Exhibit D, Declaration of "Eduardo," ¶¶ 14-19, Nov. 2025.

²⁶ See Exhibit F, Declaration of "Noah," ¶ 8-13, Nov. 2025.

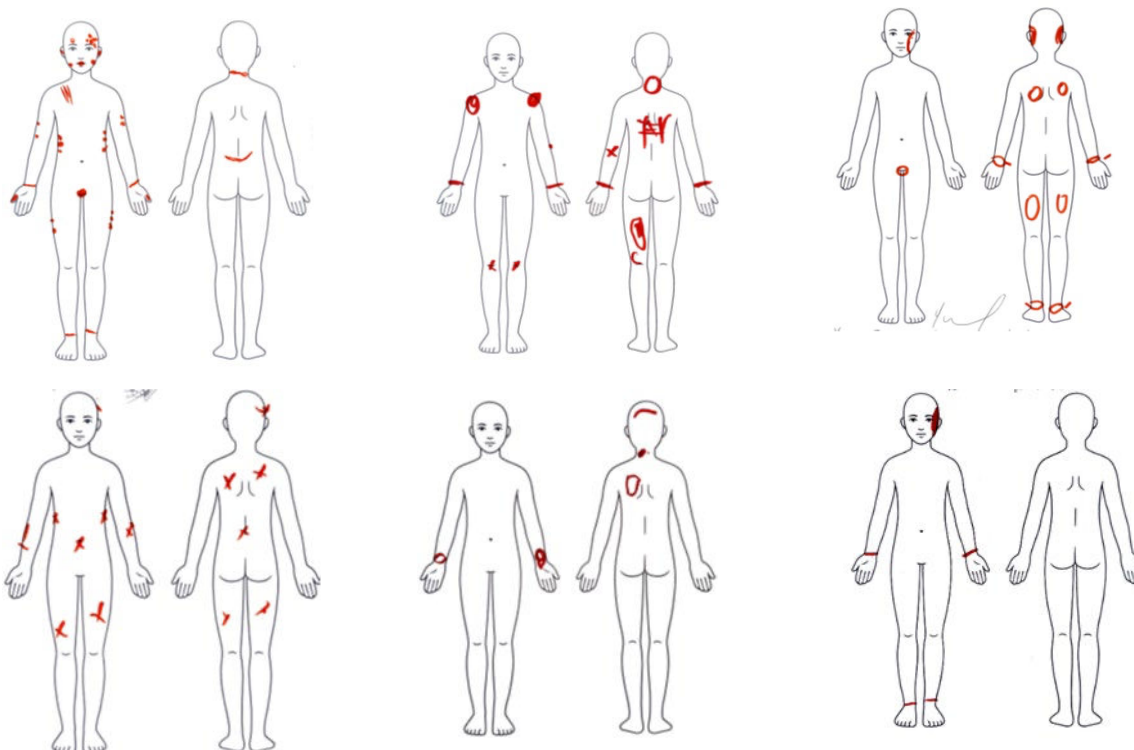
²⁷ See Exhibit G, Declaration of "German," ¶ 13, Nov. 2025.

²⁸ See Exhibit H, Declaration of "Camilo," ¶ 17, Nov. 2025.

looked like his arm was going to pop.” The person later reported to Isaac that the officers beat his swollen arm after he told them he was feeling too unwell to participate in forced recreation.²⁹

The drawings below were created by detained immigrants who marked the areas on their bodies where they had been injured by guards at Ft. Bliss.

Diagram 1: Marking of Use-of-Force Injuries Against Immigrants Detained at Ft. Bliss



Injuries (from top left to bottom right) as marked by “Samuel,” “Noah,” “Isaac,” “Eduardo,” “Abel,” and “German.”

2. Detainees at Ft. Bliss Are Deprived of Sufficient Food, and Food Provided Is Spoiled and Inedible, Leading to Hunger, Illness, and Significant Weight Loss.

Detainees at Ft. Bliss almost uniformly describe deprivation of sufficient food. Detainees describe meager portion sizes of meals that are “the size of [a] fist,” and report that people have gone hungry, because officers do not provide sufficient food for distribution on housing units. In some cases, detainees have eaten only two meals due to insufficient food.³⁰ Detainees report significant weight loss at Ft. Bliss because of insufficient food. “Jaime” reports that he lost almost ten pounds in less than two months.³¹ “Hernan” and “Nelson,” also report that they have lost weight because of insufficient food.³² When food is provided, it is often frozen food that is

²⁹ See Exhibit A, Declaration of “Isaac,” ¶ 13, Nov. 2025.

³⁰ Exhibit I, Declaration of “Gershon,” ¶¶ 14-15, Nov. 2025; Exhibit P, Declaration of “Hernan,” ¶ 13, Dec. 2025.

³¹ Interview with “Jaime,” Nov. 2025.

³² Exhibit P, Declaration of “Hernan,” ¶ 14-15, Dec. 2025; Interview with “Nelson,” Oct. 2025.

supposed to be defrosted, but is spoiled and inedible.³³ As a result, detainees become ill from the food. Almost every detainee we talked to described widespread diarrhea and vomiting due to the food.³⁴

The food provided to detainees at Ft. Bliss falls below ICE Detention Standards and constitutional requirements. ICE Detention Standards require that all facilities “provide detainees with nutritious, attractively presented meals, prepared and served in a sanitary and hygienic food service operation.” NDS 2025 § 4.1. Detainees “shall be served three meals every day, at least two of which shall be hot meals.” *Id.* Food must be “fit for consumption and appropriately presented.” *Id.*; see also *Adams v. Mathis*, 458 F. Supp. 302, 308 (N.D. Ala. 1978), *aff’d* 614 F.2d 42 (5th Cir. 1980); *Ramos v. Lamm*, 639 F.2d 559, 570-71 (10th Cir. 1980) (Food must be “prepared and served under conditions which do not present an immediate danger to the health and well being of the [detainees] who consume it.”). Moreover, the lack of sufficient food and the provision of spoiled and rotten food is well known to the agency. Indeed, U.S. Representative Veronica Escobar recently informed Secretary Noem that “drinking water at the facility continues to taste foul, the food quality for detainees has not improved, and some detainees are skipping meals altogether due to a lack of dietary accommodations.”³⁵

3. Detainees at Ft. Bliss are Subject to Dangerous Medical Neglect and Lack of Mental Health Care.

In recent months, internal ICE oversight reports and Congressional letters have outlined widespread and systematic issues with the provision of medical and mental health care to detainees held at Ft. Bliss.³⁶ Despite these warnings, detainees at Ft. Bliss continue to face dangerous conditions of medical neglect, including denial of necessary medication and dangerously inconsistent medication administration schedules, and severely delayed or complete lack of response to requests for medical, dental, and mental health care. These conditions violate Constitutional requirements for the provision of adequate medical and mental health care to people in government custody, *Brown v. Plata*, 563 U.S. 493, 511 (2011); *Estelle v. Gamble*, 429 U.S. 97, 104 (1976), and fall far below requirements outlined by ICE detention standards.

Denial of Necessary Medication and Dangerously Inconsistent Medical Administration Schedules. People detained at Ft. Bliss report repeated and chronic issues with the facility’s failure to provide prescription medication and to ensure consistent delivery of medication, which presents particular danger to patients, such as diabetics, who rely on predictable

³³ Exhibit J, Declaration of “Maria,” ¶ 9, Nov. 2025; Exhibit D, Declaration of “Eduardo,” ¶ 12, Nov. 2025; Exhibit P, Declaration of “Hernan,” ¶¶ 14-15, Nov. 2025.

³⁴ See, e.g. Exhibit D, Declaration of “Eduardo,” ¶ 12, Nov. 2025; Exhibit E, Declaration of “Samuel,” ¶ 9, Nov. 2025; Exhibit J, Declaration of “Maria,” ¶ 9, Nov. 2025.

³⁵ Letter from Rep. Veronica Escobar to DHS Secretary Kristi Noem, Nov. 7, 2015, *available at* https://escobar.house.gov/uploadedfiles/10.27.25follow_up_letter_to_dhs_on_camp_east_montana.pdf.

³⁶ Douglas MacMillan et al., *60 Violations in 50 Days: Inside ICE’s Giant Tent Facility at Ft. Bliss*, Wash. Post, Sept. 16, 2025, (noting that “ICE inspectors also said contractors failed to follow mandatory procedures for medical care”); Letter from Rep. Escobar (noting that “[p]eople have shared concerns regarding Camp East Montana’s potentially inadequate medical care: only the most ill detainees are referred to the medical unit and there are inconsistencies as to how soon after arriving detainees are able to undergo initial medical screenings. Detainees have also shared that access to necessary medications has been inconsistent, with some people receiving their medication while others have not.”).

medication schedules. For example, “Josefina,” has diabetes and requires pills and insulin to manage her condition. However, the facility administers insulin at irregular intervals, causing her blood sugar to spike and then drop too low. Josefina is usually woken up at 4:00 a.m. for her first dose of insulin, which disrupts her sleep. She rarely receives her second dose of insulin and the accompanying pill.³⁷ “Frank” was pre-diabetic before arriving at Ft. Bliss, but his condition has deteriorated while in detention. He has been prescribed medications for his blood sugar and blood pressure; however, he reports serious delays in the distribution of his medication. At the time of his interview, he had gone fifteen days without either of his prescribed pills and had not received any insulin at all, as prescribed.³⁸

“Isaac” has hypertension and had a stroke approximately a year ago. He told officers about his condition shortly after arriving; however, approximately a month passed after he arrived at Ft. Bliss before he received his prescribed medication, during which time his vision blurred, a clear indication of dangerously high blood pressure. Even now, his medication is administered on an incorrect schedule.³⁹

Other detained people report that they have not received their required medications with any consistency. “Eduardo” has anxiety and hypertension, but does not consistently receive the medication he requires. He described “receiv[ing] it one day and then not for four days.” He is supposed to take his medications early in the day, but one of them is not administered to him until approximately 3:00 p.m., and the other is usually provided to him by officers between midnight and 3:00 a.m., causing a rise in blood pressure and anxiety.⁴⁰ “Gershon” has Post-Traumatic Stress Disorder, depression, and anxiety, which he treats with prescription medication. However, he has counted at least ten instances where he has not received his medication.⁴¹ “Noah” requires daily medication for allergies; however, at the time of his interview he had not received his required medication for five days.⁴²

Ft. Bliss’s failure to provide prescribed medication and to ensure a reliable medication management system constitutes deliberate indifference in violation of the Constitution. *See, e.g., Gil v. Reed*, 381 F.3d 649, 661 (7th Cir. 2004); *Hill v. Marshall*, 962 F.2d 1209, 1213-14 (6th Cir. 1992); *Lewis v. Cain*, 701 F. Supp. 3d 361, 391 (M.D. La. 2023), *appeal dismissed sub nom. Parker v. Hooper*, 128 F.4th 691 (5th Cir. 2025). ICE Detention Standards require that “[m]edication will be distributed according to the specific instructions and procedures established by the health care provider.” NDS 2025 § 4.3.

Severely Delayed or Lack of Response to Requests for Medical, Dental, and Mental Health Care. Detainee requests for medical attention are largely ignored even after multiple requests.⁴³ “Maria” noted that “[i]f you report that you want to go to the doctor, the guards tell you to sign a list of people, but they won’t attend to you on that list for approximately 1-2 weeks after

³⁷ Interview with “Josefina,” Oct. 2025.

³⁸ Exhibit K, Declaration of “Frank,” ¶ 7, Nov. 2025.

³⁹ Exhibit A, Declaration of “Isaac,” ¶ 10, Nov. 2025.

⁴⁰ Exhibit D, Declaration of “Eduardo,” ¶¶ 7- 8, Nov. 2025.

⁴¹ Exhibit I, Declaration of “Gershon,” ¶¶ 9-12, Dec. 2025.

⁴² Exhibit F, Declaration of “Noah,” ¶¶ 4-5, Nov. 2025.

⁴³ Exhibit D, Declaration of “Eduardo,” ¶ 8, Nov. 2025; *see also* Exhibit L, Declaration of “David,” ¶ 7, Nov. 2025 (requested medication for gastritis every day since arrival, but only received it about a month and a half after arriving).

you put your name on it.”⁴⁴ “Samuel” reported filing about ten requests for care about molar pain, migraines, stomach issues, depression, and anxiety before he was finally seen by medical staff weeks later. However, the medical staff merely gave him a Tylenol and sent him away.⁴⁵ “Vincente” suffered from extreme headaches for days in a row and repeatedly submitted requests for medical help that were denied after officers told him that the medical area was full. Officers informed Vincente that “they will not call the doctor unless someone collapses.” Vincente also reported that on multiple occasions another young man with heart problems has requested medical assistance before fainting, but has only received attention after actually collapsing.⁴⁶ Maria similarly observed that “[t]he guards seem to have to see you lying on the floor” before providing medical attention and that she has “seen people lying on the floor before receiving treatment.”⁴⁷ “Frank” has requested care by writing medical requests and handing them to the guards and attempting to use the tablets to submit medical requests as his health conditions worsened, but his written and electronic requests have gone unanswered.⁴⁸

Officers do not consistently provide detained people with medical attention even after they faint and experience visible bodily trauma. “German” described an elderly man in his unit with high blood pressure who repeatedly requested medical attention that he did not receive. His condition deteriorated to the point where “he fainted, fell down on the floor, and it looked like he broke his nose.” Although the elderly man bled profusely, officers did not respond, despite other detainees’ attempts to obtain medical attention. As German witnessed, when officers finally came out to hand out meals, “they ignored the man who was still on the ground in a puddle of his own blood.” Officers left the man’s meal on his bed.⁴⁹

Detained people also report significant issues with receiving dental care at Ft. Bliss. “Elizabeth” developed a gum infection while in detention and was prescribed an antibiotic to take every eight hours. However, officers have not followed medical instructions, and she is “lucky” if she receives the prescribed antibiotics every other day. When Elizabeth does not receive her antibiotics on time, her gums swell and become very painful, and she has headaches.⁵⁰

Denial and delay of medical care by detention officials constitutes deliberate indifference in violation of the Constitution. *Estelle*, 429 U.S. at 104; *Brown v. Hughes*, 894 F.2d 1533, 1538 (11th Cir. 1990). ICE Detention Standards require that the facility provides “medically necessary and appropriate medical, dental and mental health care and pharmaceutical services at no cost to the detainee,” “timely responses to medical complaints,” and that facility procedures “ensure that all request slips are received and triaged by the medical staff within 24 hours of receipt of the request.” NDS 2025 §§ 4.3(II)(A), (II)(I). The Standards also require that “Emergency dental treatment shall be provided for immediate relief of pain, trauma, and acute oral infection.” *Id.* § 4.3(II)(H)(1). However, immigrants detained at Ft. Bliss report significant delays in receiving responses to requests for medical, dental, and mental health attention, including the provision of

⁴⁴ Exhibit J, Declaration of “Maria,” ¶ 10, Nov. 2025.

⁴⁵ Exhibit E, Declaration of “Samuel,” ¶ 7, Nov. 2025.

⁴⁶ Exhibit O, Declaration of “Vincente,” ¶ 10, Nov. 2025.

⁴⁷ Exhibit J, Declaration of “Maria,” ¶ 10, Nov. 2025.

⁴⁸ Exhibit K, Declaration of “Frank,” ¶¶ 7-11, Nov. 2025.

⁴⁹ Exhibit G, Declaration of “German,” ¶ 9, Nov. 2025.

⁵⁰ Exhibit M, Declaration of “Elizabeth,” ¶ 8, Nov. 2025.

prescription medication, or report that they have received no response at all, even after repeated requests for care.

4. Ft. Bliss Fails to Provide Basic Hygiene Supplies, Clean Clothing, and Cleaning Materials, Leaving Detainees in Squalid Conditions.

Detainees at Ft. Bliss almost uniformly reported squalid conditions, and officers' failure to provide them with basic hygiene materials such as soap, clean clothing, or cleaning supplies. These conditions fall well below constitutional requirements and agency standards.

Lack of Basic Hygiene Supplies, Including Soap. Detainees widely report denial of basic hygiene supplies at the facility. "Frank" noted that he lacked soap and that detainees were "only given very small bottles of shampoo that we have to use to wash our body, hair, and sometimes our clothing."⁵¹ "German" reported that "[e]ven when shampoo is handed out, we are given only 15-20 one-time use packets for all of the approximately 72 people in the unit."⁵²

The facility's widespread and repeated failure to provide detainees with personal hygiene supplies at Ft. Bliss falls below constitutional and agency standards. ICE's detention standards require that all detainees must be provided with "one bar of bath soap, or equivalent." NDS 2025 § 4.4(II)(F). Moreover, detention standards require that the facility "replenish personal hygiene items at no cost to the detainee on an as needed basis." *Id.* See also *Chandler v. Baird*, 926 F.2d 1057, 1063-65 (11th Cir. 1991) (allegation of confinement without toilet paper, soap, and toothpaste supported an Eighth Amendment claim); *Carver v. Knox Cty*, 753 F. Supp. 1370, 1389 (E.D. Tenn. 1989) (failure to regularly provide toilet paper and soap, among other things "constitutes a denial of personal hygiene and sanitary living conditions" violative of the Eighth Amendment).

Lack of Clean Clothing. Several detainees reported lengthy delays in the provision of clean clothing. "Maria" did not receive clean clothing for 15 days after she arrived at Ft. Bliss, leaving her to wear the same clothes.⁵³ "Michael" reported that he had been in the same clothes for one month, as his clothing was taken away for laundry several weeks before, and not returned. He never received new clothes, despite filing three complaints about the issue, which received no response.⁵⁴ "Ulises" reported that he was informed that laundry is supposed to take place once per week, but the facility will go two to three weeks without being able to do laundry.⁵⁵ ICE Detention Standards require that all facilities provide detainees with clean clothing. "Socks and undergarments will be exchanged daily, outer garments at least twice weekly and sheets, towels, and pillowcases at least weekly." NDS 2025 § 4.4(II)(E). See also *Benjamin v. Fraser*, 161 F. Supp. 2d 151, 178 (S.D.N.Y. 2001) (noting that detainees are constitutionally entitled to clean clothing).

Squalid Tents and Lack of Cleaning Supplies. Conditions in Ft. Bliss's tent units are squalid and fetid, without the provision of sufficient cleaning materials.

⁵¹ Exhibit K, Declaration of "Frank," ¶ 10, Nov. 2025.

⁵² Exhibit G, Declaration of "German," ¶ 9, Nov. 2025.

⁵³ Exhibit J, Declaration of "Maria," ¶ 7, Nov. 2025.

⁵⁴ Interview with "Michael," Oct. 2025.

⁵⁵ Interview with "Ulises," Oct. 2025.

Detained people at Ft. Bliss are held in tent units with bunk beds for 72 people positioned closely together and a bathroom area with toilets and showers, shared by everyone in the unit.⁵⁶ Detainees note that the toilets are particularly unsanitary, with urine and fecal matter lining the bowls and the surrounding walls.⁵⁷ The area stinks of urine and feces.⁵⁸ In some units, individuals are given only one roll of toilet paper per day for all 72 people.⁵⁹ Often, across housing units, the excrement blackens the water from the bathroom area, which pools with the water that collects from the shower area, and floods into the area where meals are served each day. Detainees across six different housing units uniformly described water contaminated with sewage flooding the housing unit, including areas where detainees must eat.⁶⁰ “David” reported that “the shower drains do not work and constantly cause flooding” with water that is “filled with urine and fecal matter.” Detained people have made officers aware of this issue, but officers have not addressed it. While there is a barrier between the bathroom and dining area, it does not successfully block the water from spilling beyond the bathroom into the meals area.⁶¹ The flooring under the shower is made from non-waterproof wooden pallets that emit an “awful smell.”⁶²

Despite these filthy conditions, and even in the absence of cleaning staff, officers still fail to provide detained people with cleaning products. Detained people must often resort to wiping up the puddles of dirty water with their clothes, such as their underwear and socks, because they are not provided with towels or any other supplies to mop up the dirty water.⁶³ The fact that they are not provided any sort of cleaning solutions to clean the leakage of contaminated water into their dormitory increases the risk of disease outbreaks. Furthermore, the haphazard and ongoing construction of the detention center has caused sanitation issues. The vents “spit out dust,” which can be seen spilling onto the ground.⁶⁴

These conditions fall below constitutional and agency requirements. ICE Detention Standards require that “[f]acility cleanliness and sanitation shall be maintained. All surfaces, fixtures, and equipment shall be kept clean and in good repair. Suitable and sufficient cleaning equipment and supplies shall be available throughout the facility.” NDS 2025 § 1.1(II)(I)(2). “A sanitary environment is a basic human need that a penal institution must provide for all inmates.” *Toussaint v. McCarthy*, 597 F. Supp. 1388, 1411 (N.D. Cal. 1984); *Gates v. Cook*, 376 F. 3d 323, 338 (5th Cir. 2004); *Ramos v. Lamm*, 639 F.2d 559, 569-70 (10th Cir. 1980) (finding constitutional violation where facility had “lack of routine maintenance and cleaning programs” and inadequate cleaning supplies).

⁵⁶ Exhibit O, Declaration of “Vincente,” ¶ 6, Nov. 2025.

⁵⁷ Exhibit D, Declaration of “Eduardo,” ¶ 6, Nov. 2025; Exhibit A, Declaration of “Isaac,” ¶ 8, Nov. 2025 (“The bathrooms were disgusting. The toilets were like the ones on airplanes that rely on air pressure. There was urine everywhere, including on the rims of the toilets and the floor. There was also fecal matter on the walls and rims of the toilets.”).

⁵⁸ Exhibit H, Declaration of “Camilo,” ¶ 12, Nov. 2025.

⁵⁹ Exhibit M, Declaration of “Elizabeth,” ¶ 7, Nov. 2025;

⁶⁰ Exhibit A, Declaration of “Isaac,” ¶ 8, Nov. 2025; Exhibit D, Declaration of “Eduardo,” ¶ 6, Nov. 2025; Exhibit G, Declaration of “German,” ¶ 5, Nov. 2025; Exhibit J, Declaration of “Maria” ¶ 4, Nov. 2025; Exhibit L, Declaration of “David,” ¶ 5, Nov. 2025; Exhibit N, Declaration of “Xavier,” ¶¶ 6-8, Nov. 2025; Exhibit P, Declaration of “Hernan” ¶ 7, Nov. 2025.

⁶¹ Exhibit L, Declaration of “David,” ¶ 5, Nov. 2025..

⁶² Exhibit A, Declaration of “Isaac,” ¶ 8, Nov. 2025.

⁶³ Exhibit D, Declaration of “Eduardo,” ¶ 6, Nov. 2025; Exhibit A, Declaration of “Isaac,” ¶ 8, Nov. 2025.

⁶⁴ Exhibit D, Declaration of “Eduardo,” ¶ 6, Nov. 2025; Exhibit X, Declaration of “Camilo,” ¶ 5 Nov. 2025.

5. Immigrants Are Held for Prolonged Periods in Frigid, Overcrowded Hold Rooms, Without Food.

Detainees at Ft. Bliss further report extended detention in the facility’s “hold room” at intake, where they are held in frigid temperatures, without adequate food, for extended periods of time. These conditions violate ICE’s detention standards and constitutional protections, as hold rooms are intended to be used only for a short period of time at intake. As ICE’s National Detention Standards provide, “[a] detainee may not be held in a hold room for more than 12 hours,” “[o]fficers shall provide a meal to any adult in the hold room for more than six hours,” “[d]etainees shall be provided with basic personal hygiene items, e.g., potable water, disposable cups,…” and “[s]taff shall ensure that sanitation and temperatures in hold rooms are maintained at acceptable levels.” NDS 2025 § 2.5(II)(B), (II)(D)(3). Hold room conditions like those reported at Ft. Bliss can violate those standards and detainees’ constitutional rights. *See Mercado v. Noem*, No. 25-CV-6568 (LAK), --- F. Supp. 3d ---, 2025 WL 2658779, at *29–30 (S.D.N.Y. Sept. 17, 2025) (noting unreasonable risk of harm from prolonged, abusive hold room conditions).

Several detainees reported unacceptably prolonged stays in a hold room. “Xavier” was kept in a hold room for three days.⁶⁵ “Quentin,” and 42 others who arrived at the facility with him, were also detained in the hold room for two days.⁶⁶ Several more detainees reported that they were held overnight or for several days.

The frigid, overcrowded conditions in the hold rooms further violate detainees’ rights. Several detainees described the hold room as a small room with no beds. One detainee estimated that the room would only have capacity for about 20 people. Detainees consistently reported that the hold room was overcrowded, indicating it was filled with anywhere from 20 to 100 people.⁶⁷ “Xavier” reported that the hold room was kept so cold that it exacerbated the pain caused by his suspected kidney stones, and other detainees consistently echoed the concern about the temperature of the room.⁶⁸

The extended detention in Ft. Bliss’s hold room also forces those kept overnight or even for multiple nights to attempt to sleep there. Detainees who were held overnight consistently reported that there were no mattresses or beds made available, and they were forced to sleep on the hard floor during their time in the hold room. “Francisco” reported that the lights were always on during the entire three-day period he was held there.⁶⁹ The cold and overcrowding only make the conditions during overnight stays worse. “Noah” reported that detainees received only an aluminum blanket to protect them from the cold, and “David” reported sleeping on the floor while held in a single room with about 100 other detainees overnight.⁷⁰

Detainees also reported being cuffed for long periods during the intake process. “Quentin” reported that he was held with both his arms and legs cuffed for about 18 hours during the intake

⁶⁵ Exhibit N, Declaration of “Xavier,” ¶ 5, Nov. 2025.

⁶⁶ Interview with “Quentin,” Oct. 2025.

⁶⁷ *See* Exhibit L, Declaration of “David,” ¶ 6, Nov. 2025.

⁶⁸ *See* Exhibit N, Declaration of “Xavier,” ¶ 5, Nov. 2025.

⁶⁹ Interview with “Francisco,” Oct. 2025.

⁷⁰ Exhibit F, Declaration of “Noah,” ¶ 3, Nov. 2025; Exhibit L, Declaration of “David,” ¶ 6, Nov. 2025.

process at Ft. Bliss.⁷¹ Before even making it to the hold room, multiple detainees reported being held in the bus that took them to Ft. Bliss while handcuffed. One detainee reported that they were left on the bus waiting for processing for eight hours without air conditioning in the middle of the Texas summer. They remained hand cuffed the whole time.⁷²

Finally, detainees held in the holding rooms are not provided sufficient food, a problem that is further exacerbated by their extended detention. Xavier reported receiving only bread and water for the three days he was in the hold room.⁷³ “Isaac” was held in the room from a Friday to a Sunday, but he was provided food only once during his entire stay: a small bag containing only a sandwich and some fruit.⁷⁴ “Quentin,” who was held for two days, reported that he received no food or water during that time; all he had to eat were the two small sandwiches that he was given during his 10 hours of travel before his arrival at Ft. Bliss.⁷⁵ “David,” who was also held overnight, received no food at all. He reported that the only source of water in the room, a water fountain, made people sick when they drank from it, so he avoided it and went without water as well for most of his time in the hold room.⁷⁶

6. Detainees at Ft. Bliss Are Held in Tents for Weeks, Without Opportunity for Natural Light or Outdoor Recreation.

Detainees at Ft. Bliss uniformly report that they are denied access to recreation and are held in squalid, cramped tents for up to weeks at a time. Not a single interviewee reported receiving daily recreation as required by the ICE National Detention Standards, and most reported going weeks or even months without seeing the sky. Although Ft. Bliss has an outdoor recreation area, it is not used consistently or according to ICE and facility policy. Several detained people noted that the facility has a posted schedule requiring nearly daily access to outdoor recreation but reported that this policy was not followed.⁷⁷ One detained person reported never receiving any outdoor recreation since arriving at Ft. Bliss. She had not seen the sun in over three months, and she was given access to indoor recreation only once. It took place in a room called “a library” that held no books.⁷⁸

Even those who experienced outdoor recreation reported receiving it infrequently, for short periods, and in covered areas. “Benjamin” described the officers only allowing outdoor recreation approximately every seventeen days for only about twenty minutes each time.⁷⁹ Multiple interviewees reported that it had been approximately a month since they had seen the sun.⁸⁰ Even when detainees are allowed recreation, the area provided is wholly inadequate. The outdoor

⁷¹ Interview with “Quentin,” Oct. 2025.

⁷² Interview with “Ulises,” Oct. 2025.

⁷³ Exhibit N, Declaration of “Xavier,” ¶ 5, Nov. 2025.

⁷⁴ Exhibit A, Declaration of “Isaac,” ¶ 9, Nov. 2025.

⁷⁵ Interview with “Quentin,” Oct. 2025.

⁷⁶ Exhibit L, Declaration of “David,” ¶ 6, Nov. 2025.

⁷⁷ Exhibit G, Declaration of “German,” ¶ 8, Nov. 2025; Exhibit X, Declaration of “Camilo,” ¶ 9, Nov. 2025.

⁷⁸ Exhibit M, Declaration of “Elizabeth,” ¶ 11, Nov. 2025.

⁷⁹ Exhibit B, Declaration of “Benjamin,” ¶ 10, Nov. 2025.

⁸⁰ Exhibit B, Declaration of “Benjamin,” ¶ 10, Nov. 2025; Exhibit G, Declaration of “German,” ¶ 8, Nov. 2025.

recreation area is essentially an enclosed box. The area is “sometimes very cold” and detained people “do not have long sleeves or warm clothing.”⁸¹

On the rare occasions when recreation is offered, it occurs irregularly and often at night.⁸² “Isaac” explained that there is “no consistent schedule for going outside.”⁸³ Detained people described having to beg the guards for access to outdoor recreation.⁸⁴ Officers will sometimes instruct detained people to go outside at 9:00 p.m. or 11:00 p.m. at night when it is cold.⁸⁵ Some detained people only see the sky when guards walk them from their tent to another tent for attorney visits.⁸⁶ The lack of fresh air and sunlight has had adverse psychological impacts. “Vincente” explained the “lack of fresh air and sunlight” was causing him and others to become stressed and anxious.⁸⁷ Another detained person said the inability to see the sun, even during outdoor recreation, makes him feel trapped and like he cannot breathe.⁸⁸

As the Supreme Court has held, exercise is a basic human need that must be provided under the Constitution. *Wilson v. Seiter*, 501 U.S. 294, 304 (1991). ICE’s National Detention Standards further require that “[i]f outdoor recreation is available at the facility, it shall be offered at a reasonable time of day. Weather permitting, each detainee shall have access for at least one hour per day, five days per week; or, six or more hours per week, at least four days per week.” NDS 2025 § 5.2.

For those held in isolated housing, or Special Management Units, ICE’s National Detention Standards require that “[d]etainees in the SMU shall be offered at least one hour of recreation per day, scheduled at a reasonable time, at least five days per week.” NDS 2025 § 2.9. Despite this, “Samuel” attested that when he was placed in the SMU, he was not allowed to see the sky for the entire period of about eight days when he was held in complete isolation in a cold, small room.⁸⁹ He had already gone two weeks without seeing the sky prior to his placement in the SMU.⁹⁰

7. Officers Deny Detainees Reasonable Access to Counsel and Legal Resources at Ft. Bliss.

Ft. Bliss systematically denies people in its custody reasonable access to counsel, in violation of ICE’s own detention standards and in ways that raise grave constitutional concerns. Across the facility, detainees are deprived of a functional law library, blocked from making confidential and reliable legal calls, and subjected to unreasonable limits on legal visitation.

ICE’s own standards require facilities to “permit detainees access to a law library, and provide legal materials, facilities, equipment, printing and copying privileges, and the opportunity to prepare legal documents.” NDS 2025 § 6.3. The standards further mandate that facilities “devise

⁸¹ Exhibit B, Declaration of “Benjamin,” ¶ 10, Nov. 2025; Exhibit A, Declaration of “Isaac,” ¶ 14, Nov. 2025.

⁸² Exhibit D, Declaration of “Eduardo,” ¶ 10, Nov. 2025.

⁸³ Exhibit A, Declaration of “Isaac,” ¶ 14, Nov. 2025.

⁸⁴ Exhibit G, Declaration of “German,” ¶ 8, Nov. 2025; Exhibit O, Declaration of “Vincente,” ¶ 13, Nov. 2025.

⁸⁵ *Id.*

⁸⁶ Exhibit D, Declaration of “Eduardo,” ¶ 10, Nov. 2025; Exhibit B, Declaration of “Benjamin,” ¶ 10, Nov. 2025.

⁸⁷ Exhibit O, Declaration of “Vincente,” ¶ 13, Nov. 2025; see also Exhibit A, Declaration of “Isaac,” ¶ 14, Nov. 2025 (“The lack of time outdoors hurts the functioning of our internal cycles and how we feel mentally.”).

⁸⁸ Interview with Yoel, Nov. 2025.

⁸⁹ Exhibit E, Declaration of “Samuel,” ¶¶ 17-18, Nov. 2025.

⁹⁰ *Id.* ¶ 18.

a flexible schedule to permit all detainees, regardless of housing or classification, to use the law library on a regular basis,” guaranteeing each person a minimum of five hours of access per week during reasonable hours. *Id.* Detainees must not be forced to sacrifice their already minimal recreation time to use the library, and requests for additional time, especially when facing court deadlines, must be accommodated whenever possible. *Id.*; see also *Bounds v. Smith*, 430 U.S. 817, 828 (1977).

Ft. Bliss is in full violation of this standard. Detainees uniformly report that no functional law library exists.⁹¹ Moreover, they have no access to printing or copying equipment to prepare legal documents or applications for relief. Detainees have access to tablets, but they contain no legal research tools, and the internet required to make use of tablets is frequently down.⁹² In theory, detainees can use the tablets to contact legal service providers. However, detainees are often unable to afford the cost of making calls because they must have available funds on their account to dial out. Moreover, there are usually only approximately six tablets available for the 72 detainees in each tent.⁹³ The failure to provide even the most basic legal resources denies detainees their right to access counsel and critically undermines their ability to defend themselves in immigration court proceedings.

Similarly, telephone access to attorneys at Fort Bliss is restricted, in direct violation of ICE’s own standards. ICE standards require that facilities provide “a sufficient number of telephones” that allow detainees to make legal calls privately and without being overheard. NDS 2025 § 5.4. Instead, detainees must place legal calls from shared tablets inside their tent using a PIN assigned during processing. “Quentin” reported that these tablets are in open areas, surrounded by guards and other detainees, making any legal call inherently non-confidential. Compounding this violation, detainees are often denied access to legal calls altogether because they do not have working PINs. “Vincente” reported that he, along with many others in his unit, never received a working PIN at processing. His request for a replacement went unanswered for over a month, leaving him completely unable to call an attorney during this time.⁹⁴

Attorneys also face unreasonable barriers to meeting with detainees. ICE’s detention standards require facilities to allow legal visitation seven days a week, including holidays, with at least eight hours of visitation on regular business days and four hours on weekends and holidays. NDS 2025 § 5.5. Despite this clear requirement, some members of the undersigned organizations have been turned away by guards during business-day visitation hours listed on the ERO website. Additionally, legal service providers offering pro bono representation report wait times of up to four hours to see clients, only to be told that detainees are “unavailable” due to count or lunch. In addition, facility officers have informed legal service providers that detained people often refuse

⁹¹ Exhibit J, Declaration of “Maria,” ¶ 12, Nov. 2025; Exhibit N, Declaration of “Xavier,” ¶ 11, Nov. 2025; Exhibit H, Declaration of “Camilo,” ¶ 13, Nov. 2025; Exhibit D, Declaration of “Eduardo,” ¶ 13, Nov. 2025; Exhibit G, Declaration of “German,” ¶ 12, Nov. 2025; Exhibit A, Declaration of “Isaac,” ¶ 17, Nov. 2025; Exhibit B, Declaration of “Benjamin,” ¶ 12, Nov. 2025; Exhibit E, Declaration of “Samuel,” ¶ 11, Nov. 2025; Exhibit M, Declaration of “Elizabeth,” ¶ 11, Nov. 2025 (“Elizabeth” noted that a small physical “library” recently opened, but it contains no books or ability to look for information about her case. She was only taken there one time for as a type of “recreation.”).

⁹² Exhibit H, Declaration of “Camilo,” ¶ 13, Nov. 2025; Exhibit L, Declaration of “David,” ¶ 13, Nov. 2025, Exhibit E, Declaration of “Samuel,” ¶ 12, Nov. 2025.

⁹³ Exhibit H, Declaration of “Camilo,” ¶ 13, Nov. 2025; Exhibit L, Declaration of “David,” ¶ 13, Nov. 2025, Exhibit E, Declaration of “Samuel,” ¶ 12, Nov. 2025.

⁹⁴ Interview with “Quentin,” Nov. 2025; Exhibit O, Declaration of “Vincente,” ¶¶ 17-18, Nov. 2025.

legal visits because they are not provided with food, water, or bathrooms while waiting for an attorney visit and that if they miss a meal or medication distribution while waiting for a visit those meals or medications would not be made up. In at least one instance, a detained person was not notified by officers that an attorney had scheduled a legal visit with him, but the attorney was told he had refused the visit.⁹⁵

Facility protocols for attorney visitation change frequently, leading to new restrictions that do not accord with detention standards. At times, officers have instructed legal providers that they are limited to ten daily visits per organization. Officers have also informed legal providers that they are limited to only one pre-representational meeting of one hour with a prospective client, and that attorneys must file a Form G-28 for any subsequent meeting. These restrictions not only restrain providers' ability to consult and meet with potential clients, they are also flatly inconsistent with ICE's own rules. Indeed, ICE detention standards explicitly provide that neither attorneys nor legal assistants are required to file a G-28 to visit a detainee for consultation purposes, and it authorizes no numerical limits on pre-representation visits. NDS § 5.5. By imposing these barriers, Fort Bliss arbitrarily restricts attorneys' and legal service providers' ability to assess cases, meet with clients, and establish representation.

Taken together, the lack of legal resources, the absence of confidential phone access for attorney calls, and the improper limits on legal visitation at Fort Bliss show a systemic failure to comply with agency standards, as well as legal and constitutional requirements. Indeed, the Fifth Circuit has long recognized that the First Amendment protects the legal communications of people in detention. *Brewer v. Wilkinson*, 3 F.3d 816, 825-26 (5th Cir. 1993). Courts have likewise held that "conflicting and nearly-impossible-to-follow instructions on the availability of legal visiting hours," alongside other barriers, can have the "cumulative effect of denying [individuals in detention] constitutionally sufficient access to legal assistance" in violation of the Fifth Amendment's Due Process Clause. *Innovation Law Lab v. Nielsen*, 342 F. Supp. 3d 1067, 1080-81 (D. Or. 2018). Similarly, in *Torres*, the court found that a combination of restrictions on immigrant detainees' telephone access, difficulties in accessing legal mail, and interferences with in-person meetings was "tantamount to the denial of counsel." *Torres v. DHS*, 411 F. Supp. 3d 1036, 1060 (C.D. Cal. 2019).

C. Recommendations

In light of these abuses, ICE and the Department of Defense should end the detention of immigrants at Ft. Bliss. We further urge an immediate halt to third-country removals of detained people from Ft. Bliss and a thorough investigation into the circumstances of these removals.

We appreciate your prompt attention to these very serious matters, and the opportunity to meet and discuss these issues. For more information, please contact Eunice Cho at echo@aclu.org; Savannah Kumar at skumar@aclutx.org; Angélica César at cesara@hrw.org; and Charlotte Weiss at cweiss@texascivilrightsproject.org.

⁹⁵ Exhibit D, Declaration of "Eduardo," ¶ 23, Nov. 2025.

Sincerely,

American Civil Liberties Union
American Civil Liberties Union of New Mexico
American Civil Liberties Union of Texas
Estrella del Paso
Human Rights Watch
Las Americas Immigrant Advocacy Center
New Mexico Immigrant Law Center
Texas Civil Rights Project