

ICE Facility Visits for Members of Congress and Staff

All visitors are expected to comply with facility rules, procedures, and instructions from ICE personnel on site. In the event of an emergency, facility personnel will provide further instructions.

As outlined in the Consolidated Appropriations Act, 2020 (Public Law 116-93), Division D – Department of Homeland Security Appropriations Act, 2020:

SEC. 532. (a) None of the funds appropriated or otherwise made available to the Department of Homeland Security by this Act may be used to prevent any of the following persons from entering, for the purpose of conducting oversight, any facility operated by or for the Department of Homeland Security used to detain or otherwise house aliens, or to make any temporary modification at any such facility that in any way alters what is observed by a visiting member of Congress or such designated employee, compared to what would be observed in the absence of such modification:

- (1) A Member of Congress.
- (2) An employee of the United States House of Representatives or the United States Senate designated by such a Member for the purposes of this section.

(b) Nothing in this section may be construed to require a Member of Congress to provide prior notice of the intent to enter a facility described in subsection (a) for the purpose of conducting oversight.

(c) With respect to individuals described in subsection (a)(2), the Department of Homeland Security may require that a request be made at least 24 hours in advance of an intent to enter a facility described in subsection (a).

Access: Members of Congress (Members), Congressional Member Delegations (CODELs), and Congressional Staff Delegations (STAFFDELS) are afforded special access to ICE facilities. These visits are limited to Members and congressional staff only; ICE will not accommodate special access for mixed groups. All other requests for tours (e.g., media representatives, local officials, non-governmental organizations, members of the public, etc.) should be directed to the ICE Field Office with jurisdiction over the facility for coordination and approval.

Conduct: Safety, security, and good order are always primary considerations in a detention facility, and visitors must be properly identified and attired. All visitors are subject to search upon entering the facility and at any other time during the tour/visit. Introduction of contraband or other criminal violations may lead to criminal prosecution of a visitor.

Facility Entry Requirements

- **Members of Congress:** ICE will comply with the law and accommodate Members seeking to visit/tour an ICE detention facility for the purpose of conducting oversight.
- **Congressional staff:** ICE requires at least 24-hours advance notice of an upcoming visit by Congressional staff. Failure to meet this requirement will result in denied access to the facility.
- **Identification:** All visitors must present a valid, verifiable government-issued identification card to enter an ICE detention facility. To preclude potential delays,

Members should be prepared to show valid identification identifying him/her as a Member of Congress. Congressional staff should be prepared to show valid congressional identification issued by either the House or Senate Sergeant at Arms Identification Office. Identification will be checked prior to entering the facility. If the facility is unable to validate the identity of a visitor (e.g., the individual is not in possession of valid congressional identification), that individual will not be allowed to enter the facility.

- **Magnetometers:** ICE detention facilities are secure facilities. As such, all visitors are required to pass through a magnetometer prior to entry—and may be subject to additional nonintrusive inspection technology—to preclude the introduction of contraband into the facility. Please allow additional time for screening.
- **Recording Devices:** For the safety, security, and order of the facility, and to protect the privacy rights of those in custody (to include the right to not be photographed or recorded without consent), as well as visitors and the employees, contractors, and volunteers who work in these facilities, no electronic recording devices or picture taking will be permitted inside ICE detention facilities without advanced written approval from the facility and the appropriate ICE Field Office. Before attempting to enter any ICE detention facility, all visitors should leave cell phones and other electronics in their vehicle.
- **Weapons, Illegal Controlled Substances, Other Contraband:** No weapons of any kind — to include knives, sharp objects, or firearms — are permitted in ICE detention facilities. Furthermore, no controlled substances under federal law, drugs, or other prohibited contraband are permitted in ICE detention facilities.
- **COVID-19 Protocols:** Visitors must comply with the requirements of the current ICE Pandemic Response Requirements for the facility.

Other considerations

- **Hatch Act:** ICE employees may not authorize the use of ICE detention facilities for political activities, which is defined as activities directed towards the success or failure of a political party, candidate for partisan political office, or partisan political group. This includes town hall meetings, political rallies, speeches, fundraisers, press conferences, photo opportunities, or other similar events for campaign purposes. No media, photographers, campaign pins, distribution of campaign literature, campaign consultants, or campaign volunteers will be permitted with CODEL or STAFFDEL tours/visits. Note, this restriction is not intended to impede elected officials from appropriately representing their constituents.
- **Visit Duration:** Each respective ICE Field Office sets visit durations based on operational requirements of the day of the visit.
- **Detainee Visitation/Meetings:** ICE will not facilitate meetings with detainees without valid, signed privacy releases. If Members and/or Congressional staff would like to meet with a specific detainee or set of detainees, please provide names, alien registration numbers, and valid, signed privacy releases with your request. If Members and/or Congressional staff would like to meet with non-specific detainees, a minimum of 48-hours advanced notice is needed for the facility to post sign-up sheets, identify detainees who wish to participate (if any), and execute required privacy waivers. Note, the facility staff may, while providing a reasonable amount of privacy, maintain a physical presence in the meeting room to maintain safety and security. ICE is unable to provide interpreter or translations services for CODELs/STAFFDELs.

- **Donations:** No donations of any kind can be accepted at ICE facilities.