

# Congress of the United States

Washington, DC 20515

February 25, 2025

The Honorable Kristi Noem  
Secretary  
Department of Homeland Security  
2707 Martin Luther King Jr. Avenue, SE  
Washington, DC 20528

The Honorable William Lothrop  
Acting Director  
Federal Bureau of Prisons  
320 First Street, NW  
Washington, DC 20534

The Honorable Caleb Vitello  
Acting Director  
U.S Immigration and Customs  
Enforcement  
500 12th Street, SW  
Washington, DC 20536

Dear Secretary Noem, Acting Director Lothrop, and Acting Director Vitello:

We write to express our concerns about reports that your agencies are considering reopening Federal Correctional Institution (FCI) Dublin to house immigration detainees and share our strong opposition to any such action.

As you know, BOP formalized the “permanent closure” of FCI Dublin in December 2024. Officials cited critical infrastructure, safety, and environmental deficiencies; an inability to hire and retain sufficient staff; and an intractable culture of sexual abuse and retaliation as reasons for its closure.

There is no question that the physical facilities at FCI Dublin have degraded to the point where they are not fit for use. In February of last year, court-ordered independent assessments found hazardous mold and asbestos in living areas, confirming what staff and incarcerated persons had reported for years.<sup>1</sup> In a hearing before the United States District Court for the Northern District of California in August 2024, Acting Director Lothrop stated that a security assessment and infrastructure survey had recently been conducted at FCI Dublin, and testified that the prison would require “tens of millions of dollars” in repairs before it could be safely used again. By BOP’s own admittance, FCI Dublin simply is not safe for habitation, and as such it should be closed to any and all inhabitants or government purposes. As you move forward with the closure of the facility, BOP should do everything within its powers to support the innocent and impacted staff, including by helping them transition to other federal work and supporting them and their families through the complexities of their circumstances.

FCI Dublin is also not equipped to serve as an immigration detention center. The prison has historically housed post-conviction individuals serving criminal sentences. Immigration detainees, on the other hand, are involved in ongoing legal proceedings and they have a constitutional right to communicate

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<sup>1</sup> KTVU Staff, “Staff, Women Exposed to Asbestos at Federal Prison in Dublin,” KTVU FOX 2 San Francisco, November 21, 2023, <https://www.ktvu.com/news/staff-women-exposed-to-asbestos-at-federal-prison-in-dublin>.

with legal counsel, a requirement that FCI Dublin has neither the space nor the infrastructure to meet. As Bureau officials confirmed in federal litigation regarding insufficient legal access at the facility, FCI Dublin does not have private attorney meeting spaces or sufficient legal phone or video call capacity.

We also cannot forget the history of FCI Dublin. The cruelty of housing detainees at a facility that before its closure had been dubbed a “Rape Club” due to years of horrendous sexual abuse of incarcerated people—dozens of whom were immigrant women—by prison staff cannot be ignored. It is well documented that some prison staff intentionally preyed on immigrant women and threatened to retaliate against individuals who reported their abusers by working to get them deported. Unfortunately, sexual and physical abuse at the hands of prison staff are endemic in both BOP<sup>2</sup> and ICE<sup>3</sup> facilities, and just as we cannot risk the harm the facilities would have on detainees, the federal government should be doing everything in its power to also reduce the risks of abuse.

In addition to considering the information provided above, we ask that your agencies provide us with:

1. Information on any steps taken towards reopening FCI Dublin;
2. Copies of the security and infrastructure assessments referenced by Acting Director Lothrop in his court testimony, which we understand have been shared with ICE for a purpose that has not yet been made public; and
3. Information on how BOP plans to better assist FCI Dublin staff members who did not participate in abuse, but who have been displaced by its closure.

We are staunchly opposed to reopening FCI Dublin for any purpose, including to incarcerate people in ICE custody. Due to the seriousness of this matter, we ask that you provide the requested information no later than Wednesday, March 5, 2025. Thank you for your cooperation.

Sincerely,



Mark DeSaulnier  
Member of Congress



Zoe Lofgren  
Member of Congress

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<sup>2</sup> “Opening Statement of Chair Jon Ossoff.” Hearing of the U.S. Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations, December 13, 2022.

<sup>3</sup> Warsi, Zeba. “Hundreds of Immigrants Have Reported Sexual Abuse at ICE Facilities. Most Cases Aren’t Investigated.” PBS, July 21, 2023. <https://www.pbs.org/newshour/nation/hundreds-of-immigrants-have-reported-sexual-abuse-at-ice-facilities-most-cases-arent-investigated>.