

Congress of the United States  
Washington, D.C. 20515

August 1, 2025

The Honorable Kristi Noem  
Secretary  
Department of Homeland Security  
2707 Martin Luther King Jr. Avenue, SE  
Washington, DC 20528-0525

Dear Secretary Noem,

We write with deep concerns regarding the treatment of individuals with disabilities in U.S. Immigration and Customs Enforcement (ICE) custody. Reports of ICE and its contractors failing to provide necessary accommodations, neglecting medical needs, and violating disability rights laws are deeply alarming. It is unacceptable that detainees with disabilities are routinely denied access to medications, assistive devices, and means of communication until emergencies arise. This pattern of neglect demands immediate federal oversight, accountability, and enforcement of the Rehabilitation Act of 1973 and DHS's own regulations.<sup>1 2</sup>

For example, in June 2025, Mr. Javier Diaz Santana, a deaf and mute DACA recipient, was arrested in Temple City, California, and taken into ICE custody.<sup>3</sup> Despite repeated attempts to communicate his disability, Mr. Diaz was stripped of his wallet and phone, handcuffed, and transported with no means of communication. For weeks, he was held at a detention facility in El Paso, denied access to his attorney and family, and given paperwork in Spanish, a language he cannot read. The facility lacked text telephone devices (TTY), which are critical for individuals with hearing or speech disabilities. Even after ICE was informed of Mr. Diaz's disability by a coworker, no interpreter was provided. This is an egregious violation of his rights and a blatant failure to ensure due process.

Not only does Mr. Diaz not have any criminal background, but he also has legal protections as a DACA recipient whose case was administratively closed during the Obama Administration. At his bond hearing, it became clear that the judge was puzzled by this fact. "I never have had that before, where I have a bond request on an admin closed case," the judge said. "This is the first time." This further implicates ICE in creating unprecedented instances in immigration

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<sup>1</sup> <https://www.eeoc.gov/rehabilitation-act-1973-original-text>

<sup>2</sup> <https://www.ice.gov/leadership/ocrc/disability-access>

<sup>3</sup> <https://www.latimes.com/california/story/2025-07-22/ice-arrests-daca-recipient-at-california-car-wash>

enforcement and showcases the cruelty in uprooting the lives of individuals with disabilities who went through the legal processes and are protected by law.

Unfortunately, this is not an isolated incident. Mr. Bayartulga Avirmed, a deaf immigrant who fled Mongolia due to discrimination and physical attacks because of his disability, only understands and can communicate in Mongolian Sign Language.<sup>4</sup> He applied for asylum upon arrival in February 2025. During his initial deportation hearings, including a mental health evaluation, he claims the government provided him with an American Sign Language interpreter, who couldn't understand or interpret his Mongolian Sign Language. It is completely unacceptable that ICE failed to provide Mr. Avirmed with a proper interpreter, which violated his rights and prevented him from participating in legal proceedings. ICE's negligence in providing appropriate language and disability accommodations is a fundamental violation of due process.

Additionally, Disability Rights California released a report detailing the inhumane treatment of individuals with disabilities were experiencing at the Adelanto ICE Processing Center.<sup>5</sup> The report gives numerous examples of mistreatment, like with one individual using a prosthetic eye who was unable to clean the prosthesis to prevent infection, and after requesting medical attention, never received it. Other individuals needed specific accommodation for a disability, which ICE failed to provide, including an individual with an acute spinal condition who only received a damaged mattress that caused significant pain and another individual whose hearing aid broke and never was repaired. Detainees with diabetes were also unable to properly manage their blood sugar due to uncertainty with meal distribution. These conditions are not only cruel but also clear violations of federal law.

The abuse and mistreatment of individuals with disabilities who are detained by DHS must end now.

Repeatedly, individuals with disabilities have been mistreated by ICE, CBP, and contractors from detainment to detention. We demand that action be taken to rectify these horrible actions taken by your agents and ensure nothing of this nature ever occurs again. We request a response to the following questions within two weeks of receipt:

- 1) What concrete and immediate steps will this administration take to protect the rights, health, and lives of individuals with disabilities in detention?
- 2) How will you ensure transparency, accountability, and oversight across bodies responsible for detainees' care?

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<sup>4</sup> <https://www.courthousenews.com/deaf-mongolian-asylum-seeker-granted-sign-language-interpreter-for-ice-hearings/>

<sup>5</sup> <https://www.disabilityrightsca.org/drc-advocacy/investigations/inside-the-adelanto-ice-processing-center>

- 3) What training is required of agents in the field, those running detention centers, and officers handling cases to appropriately care for and protect the rights of individuals with disabilities?
- 4) How many people with disabilities are currently detained and what specific accommodations are being provided to each of them?
- 5) What is being done to ensure all detainees, including individuals with disabilities who require accommodations, can communicate with their legal representatives and their families?


We ask that you provide written responses to the above questions no later than August 22, 2025.

Sincerely,



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Julia Brownley  
Member of Congress



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Judy Chu  
Member of Congress



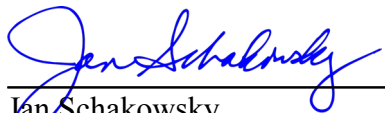
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Mark DeSaulnier  
Member of Congress



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Jan Schakowsky  
Member of Congress



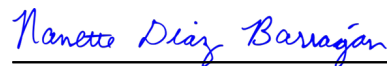
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Sara Jacobs  
Member of Congress



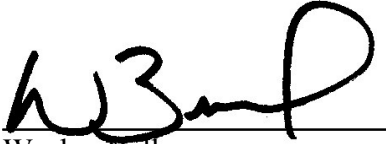
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Betty McCollum  
Member of Congress

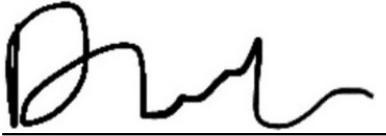


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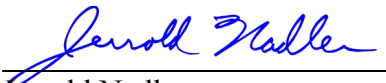
Nanette Diaz Barragán  
Member of Congress



Wesley Bell  
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Dan Goldman  
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Jerrold Nadler  
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Lloyd Doggett  
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Madeleine Dean  
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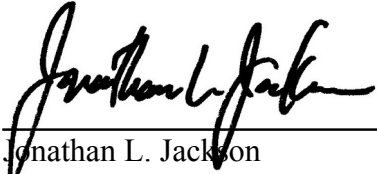
Donald S. Beyer Jr.  
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Raja Krishnamoorthi  
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Frederica S. Wilson  
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Jonathan L. Jackson  
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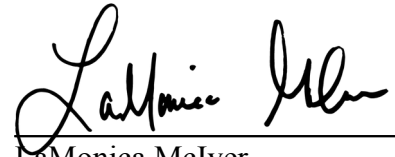
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Rashida Tlaib  
Member of Congress



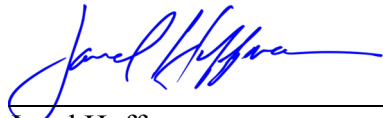
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Eleanor Holmes Norton  
Member of Congress



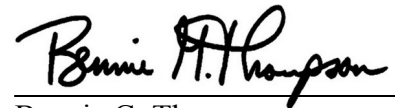
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LaMonica McIver  
Member of Congress



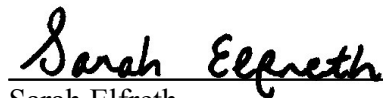
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Jared Huffman  
Member of Congress



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Bennie G. Thompson  
Member of Congress



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Sarah Elfreth  
Member of Congress



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Yvette D. Clarke  
Member of Congress



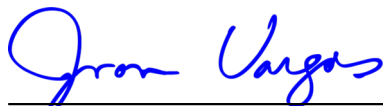
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Julie Johnson  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Juan Vargas  
Member of Congress



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Yassamin Ansari  
Member of Congress