

Congress of the United States
Washington, DC 20515

December 8, 2020

Mr. Michael Carvajal
Director
Federal Bureau of Prisons
320 First Street N.W.
Washington, DC 20534

Dear Mr. Carvajal,

We write today to again share our serious concerns regarding the Bureau of Prison's (BOP's) response to the ongoing COVID-19 outbreak at FCI Fort Dix, and to follow up with additional questions. In particular, we are deeply alarmed that BOP lifted the transfer moratorium for FCI Fort Dix on November 24, 2020. By resuming transfers of incarcerated individuals into and out of the facility in the midst of a severe outbreak, BOP is putting at risk the lives of both staff and incarcerated individuals. We urge you to reinstate the transfer moratorium for FCI Fort Dix until there are no active cases at the facility.

In light of these concerns, we respectfully request that BOP provide detailed answers to the following questions no later than Monday, December 14, 2020.

1. On November 24, 2020, BOP lifted the moratorium on transferring incarcerated individuals in and out of FCI Fort Dix despite the still-growing outbreak at the facility at that time. To reiterate the request from our previous letter, will BOP commit to halting all transfers of incarcerated individuals to FCI Fort Dix until the current COVID-19 outbreak at the facility has ended and there are no active cases among incarcerated individuals or staff? If not, please explain why BOP will not make such a commitment.
2. During the month of November, the number of COVID-19 cases among incarcerated individuals and staff at FCI Fort Dix spiked to more than 300. In light of the failure to contain the spread of COVID-19 at FCI Fort Dix during this most recent and still ongoing outbreak, has BOP updated infection control protocols, including protocols related to personal protective equipment, cleaning, testing, or the movement of incarcerated individuals? If not, please explain why BOP has not updated such protocols.
3. In the Attorney General's memo on April 3, 2020, he instructed BOP to prioritize home confinement for incarcerated individuals in facilities with the most severe outbreaks. In light of the severe ongoing outbreak at FCI Fort Dix, is BOP currently screening incarcerated individuals at FCI Fort Dix for potential home confinement? If not, when will BOP begin doing so?

4. In various media reports,¹ incarcerated individuals have alleged that FCI Fort Dix is not providing sufficient medical treatment to individuals infected with COVID-19. Please respond to these reports.
5. Please provide a detailed summary of BOP's current plans for allocating and administering COVID-19 vaccines for staff and incarcerated individuals. How does BOP plan to prioritize vaccines when limited supplies are available?
6. When an incarcerated individual at FCI Fort Dix tests positive for COVID-19, are they still able to communicate with family members? If not, please explain the rationale behind such a policy.
7. Please provide a detailed summary of how conditions have changed for incarcerated individuals at FCI Fort Dix during the current COVID-19 outbreak. For example, what facilities are now closed to incarcerated individuals at FCI Fort Dix? What resources are unavailable to incarcerated individuals? Are any additional resources available to incarcerated individuals?
8. We have heard reports that the heat is not functioning in all facilities at FCI Fort Dix that are currently housing incarcerated individuals. Is this accurate, and if so, what is BOP doing to ensure an appropriate climate inside the facility?

Thank you for your prompt consideration of this urgent matter.


Sincerely,



Robert Menendez
United States Senator



Cory A. Booker
United States Senator



Frank Pallone, Jr.
Member of Congress



Bill Pascrell, Jr.
Member of Congress



Donald M. Payne, Jr.
Member of Congress



Donald Norcross
Member of Congress

¹ <https://gothamist.com/news/240-prisoners-sick-with-covid-inside-fort-dix-prison>



Bonnie Watson Coleman
Member of Congress



Josh Gottheimer
Member of Congress



Andy Kim
Member of Congress



Mikie Sherrill
Member of Congress



Tom Malinowski
Member of Congress