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COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
COMMITTEE ON THE JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE
COMMITTEE ON THE BUDGET

March 5, 2020

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

Dear Mr. Carvajal:

I write to request information about the Bureau of Prisons' (BOP) preparation for coronavirus in BOP facilities and private prisons.

On January 20, the Centers for Disease Control and Prevention (CDC) announced the first confirmed case of coronavirus in Washington State. Based on an analysis of the virus's genetic sequence, another case that surfaced in the state and was announced in late February appears to have descended from the first case. The two affected individuals live in the same county, but are not known to have had contact with one another. According to researchers, these findings suggest that the virus may have been spreading through the community for close to six weeks.[1]

On February 27, California announced its first case of community spread in the city of Vacaville. Reports indicate that a local woman had contracted the virus, but had not traveled abroad recently and had no known exposure to an infected person.[2] The woman began to show symptoms of the disease and was admitted to the NorthBay VacaValley Hospital. It was later confirmed that two healthcare providers who treated the woman had tested positive for coronavirus and are under self-quarantine. Additionally, 124 healthcare workers were ordered to undergo quarantine due to possible exposure.[3]

The risk of community spread poses a critical and unique threat to vulnerable populations, including those in our prisons and jails. As of February 2020, there were over 175,000 incarcerated men and women in federal prisons.[4] Our incarcerated population faces severe threats to their health and safety every day, and BOP must prioritize and work diligently to improve prison conditions nationwide. As the country prepares for coronavirus, it is also incumbent upon BOP—in coordination with HHS—to prevent outbreaks and to safely and humanely treat all affected individuals.

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[1] Sheri Fink and Mike Baker, *Coronavirus May Have Spread in U.S. for Weeks, Gene Sequencing Suggests*, N.Y. TIMES (March 1, 2020), https://www.nytimes.com/2020/03/01/health/coronavirus-washington-spread.html.
[2] *U.S. Confirms Two New Coronavirus Cases Without Links to Travel*, THE GUARDIAN (Feb. 28, 2020), https://www.theguardian.com/us-news/2020/feb/28/third-coronavirus-case-confirmed-in-silicon-valley-amid-fears-of-local-spread.
[3] *2 North Bay VacaValley Hospital Health Care Workers Test Positive for Coronavirus*, CBS SAN FRANCISCO BAY AREA (March 1, 2020), https://sanfrancisco.cbslocal.com/2020/03/01/coronavirus-covid19-health-care-workers-test-positive-vacavalley-hospital-solano-alameda-county/.
[4] Federal Bureau of Prisons, Statistics, https://www.bop.gov/mobile/about/population_statistics.jsp.

On March 4, the Justice Department informed my office that there are no known cases of coronavirus among BOP inmates, and that BOP is providing guidance to health care professionals and has a screening tool in the event that an inmate or staff member is exposed or symptomatic. The Justice Department also reported that BOP is providing information to staff members and inmates regarding prevention. While helpful, this information does not provide sufficient clarity around BOP's plan to prepare for and respond to an outbreak of coronavirus.

Therefore, in order to assess BOP's preparation, I request a response to the following questions by Monday, March 9, 2020:

1. How many BOP officials are currently working on the agency's response to coronavirus? Has BOP received any direction or guidance from Attorney General Barr on this matter?

2. How is BOP coordinating with federal public health officials on issues related to coronavirus that may impact our incarcerated population?

    a. Which agencies are providing guidance to BOP about the steps necessary to prevent, detect, and respond to a coronavirus outbreak among our incarcerated population?

    b. Does BOP have a plan to provide treatment to incarcerated individuals that entails more than isolation?

3. How is BOP coordinating with federal public health officials on issues related to coronavirus that may impact correctional staff?

    a. Which agencies are providing guidance to BOP about the steps necessary to prevent, detect, and respond to a coronavirus outbreak among correctional staff?

    b. Does BOP have a plan to offer paid leave or other support to impacted correctional staff?

4. Does the CDC plan to test or screen for coronavirus in BOP facilities and private prisons? If yes, please explain the timing and protocols that will be followed.

I look forward to your prompt response to this matter.

Sincerely,

KAMALA D. HARRIS
United States Senator