Congress of the United States

Washington, DC 20515

October 27, 2026

Elisa Mendoza
Acting Chief of Staff
ICE Enforcement and Removal Operations
Seattle Field Office
12500 Tukwila International Boulevard
Seattle, WA 98168

Daniel Heverling
Deputy Chief of Staff
ICE Enforcement and Removal Operations
Seattle Field Office
12500 Tukwila International Boulevard
Seattle, WA 98168

Dear Ms. Mendoza and Mr. Heverling:

We write to request more information and greater transparency following our visit to the Immigration and Customs Enforcement (ICE) facility in Portland, Oregon on October 9, 2026, and raise urgent concerns about the lack of access to counsel for detained individuals and what appear to be new protocols for bypassing the ICE processing facility entirely. As Members representing Oregon, we are particularly concerned about shifting priorities that are leading to the immediate transfer of individuals to Washington state without stopping at the ICE facility in Portland, OR. These new protocols are hindering individuals' right to due process and the right to counsel that are guaranteed under the U.S. Constitution.

During our visit we raised concerns about detained individuals being denied access to counsel, even when the individuals request legal representation and lawyers are present at or just outside the facility. For weeks, immigration advocates and attorneys have been sounding the alarm about ICE agents turning them away at the door, even when their client is being held inside the facility. This is unacceptable, and it is not the first instance of individuals in immigration custody being denied access to counsel at the Portland facility. It is unconstitutional to willfully ignore the Fifth amendment. There is ongoing litigation against DHS regarding the practice of denying people in immigration custody access to legal counsel before being transferred out of Oregon.[1]

In addition to being denied access to legal counsel, a growing number of detained individuals appear to have been immediately transferred to Tukwila, Washington for processing, bypassing the ICE facility in Portland entirely. According to information provided during our visit, 85 percent of staff, including supervisors, at the Portland facility were transferred to California, Nevada, Washington, and Sacramento, California. ICE staff suggested that detained individuals are being transferred because there are not enough ICE staff available to process them in Oregon. ICE agents also informed us that in a growing number of cases they are meeting GEO Group staff somewhere, perhaps in a parking lot or at a gas station, to facilitate the transfer of a detained individual to the Northwest ICE Processing Center in Tacoma, Washington. There have been some cases in which ICE agents are processing and transferring individuals so rapidly that they cannot accurately identify the detained individual.

In light of these serious concerns, we request a response to the following questions no later than November 10, 2026:

1. What legal authority do you have to deny an individual their Fifth amendment rights under the U.S. Constitution?

[1] https://innovationlawlab.org/case/clear-clinic-v-noem

2. Under what legal authority is a lack of staff capacity grounds for denying an individual their rights under the Fifth amendment of the U.S. Constitution?
3. What are you doing to make sure there is enough capacity at the Portland ICE facility to facilitate detained individuals' access to legal counsel?
4. Have the staff who have been transferred to California been permanently reassigned? Will the staff who have been transferred from to California return to the Portland ICE facility? If staff are returning to the Portland facility, by what date will they return?
5. We were told that in some cases, ICE is processing individuals so fast that they are not able to identify the person being detained. How are you working to verify the identities of the people being detained and make sure you are not making mistakes and making sure that their due process rights are respected?

Sincerely,

Suzanne Bonamici
Member of Congress

Jeffrey A. Merkley
United States Senator

Ron Wyden
United States Senator

Maxine Dexter, M.D.
Member of Congress

CC: Kristyn Igne, Chief of Staff, ICE Enforcement and Removal Operations, Seattle Field Office