



AMERICAN  
IMMIGRATION  
LAWYERS  
ASSOCIATION

June 4, 2020

Matthew T. Albence  
Senior Official Performing the Duties of the Director  
U.S. Immigration and Customs Enforcement

*Submitted via email*

Henry Lucero  
Executive Associate Director  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations

*Submitted via email*

**Re: ICE Check-Ins and COVID-19**

Dear Mr. Albence and Mr. Lucero:

On behalf of the American Immigration Lawyers Association (AILA) Immigration and Customs Enforcement (ICE) Liaison Committee, we are writing to request that ICE continue procedures for the prevention and management of COVID-19 at all ICE locations where individuals must report for ICE supervision.

On April 17, 2020, ICE temporarily suspended the requirement for in-person office reporting and home visits for Alternatives to Detention (ATD) participants, after having previously instructed field offices to accept Form I-246 applications for stays of removal by mail rather than requiring in-person filing. AILA appreciates ICE taking these necessary measures and we urge ICE to continue with rescheduling appointments and implementing other alternative measures, such as telephone check-ins, for persons who are under Orders of Supervision (OSUP) and/or the Intensive Supervision Appearance Program (ISAP), as well as continued acceptance of mailed stays of removal at the field offices.

Months after COVID-19 was declared a global pandemic, the spread of the virus continues to wreak devastation. COVID-19 is now responsible for [over 100,000 deaths](#) in the United States alone, with no signs that the virus will be halted in the near future. Even as some states and localities begin to ease stay-at-home orders and other mandates, the [CDC advises](#) the public to avoid gathering in groups, to maintain at least six feet of distance from non-household members,

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and to avoid crowded places. This guidance will continue to be crucial in efforts to mitigate the virus' spread based on the capacity for transmission from asymptomatic carriers.

ICE check-in facilities often have long lines and cramped, indoor waiting rooms with people in constant proximity to one another and ICE staff. OSUP and ISAP check-ins typically require multiple hour, and at times, day-long wait times in these conditions. Under these circumstances, social distancing and other preventative measures that slow the spread of COVID-19 are not possible. Therefore, given the continued deadly toll of COVID-19 and the CDC guidance, in-person interactions should be avoided unless absolutely necessary.

ICE's suspension of in-person check-ins for ATD participants and the current acceptance of I-246 stay of removal applications by mail have served to protect noncitizens, ICE personnel, and the wider public. AILA urges that ICE continue these policies indefinitely. **At a minimum, we request that ICE continue these policies for at least the next 90-120 days.**

If you require additional information, please contact Sui Chung, Chair of the ICE Liaison Committee at [schung@lawgroupusa.com](mailto:schung@lawgroupusa.com) or Laura Lynch, Senior Policy Counsel at the American Immigration Lawyers Association at [llynch@aila.org](mailto:llynch@aila.org).

Sincerely,

The American Immigration Lawyers Association's Immigration and Customs Enforcement Liaison Committee

CC:

Barbara M. Gonzalez, Assistant Director, ICE Office of Partnership and Engagement  
Richard A. Rocha, ICE Spokesperson