

Congress of the United States
Washington, DC 20515

August 20, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, D.C. 20528

The Honorable Joseph V. Cuffari
Inspector General
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Mr. Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th St. NW
Washington, D.C. 20536

David Richardson
Senior Official Performing the Duties of
FEMA Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, D.C. 20427

Dear Secretary Noem, Acting Director Lyons, Acting Administrator Richardson, and Inspector General Cuffari:

We write regarding the State of Florida, in partnership with the federal government, building an immigration detention facility in the heart of the Everglades, which has been sarcastically dubbed “Alligator Alcatraz.” Last month, President Trump and Secretary of Homeland Security Kristi Noem visited the site. Brushing aside concerns from human rights watchdogs, environmentalist groups, and Tribal nations, the Department of Homeland Security (DHS) has greenlit the construction of this expansive detention facility that may violate detained individuals’ human rights, jeopardize public and environmental health, and violate federal law.

We ask that DHS promptly provide critical information for the American public to better understand this detention plan.

The Everglades site was selected precisely because of its remote location and harsh surroundings, which Florida officials reportedly view as “an ideal location to house and transport migrants.”¹ Touting the remote location, officials have suggested that the facility will need minimal security because the area is naturally surrounded by “alligators and pythons,” and fleeing migrants would have “nowhere to hide.”² President Trump recently joked that detained individuals who try to escape will likely be eaten by alligators and shrugged while saying that “this is not a nice business.”³

The facility is expected to hold as many as 5,000 people, primarily in a combination of tents and trailers, “with no brick-and-mortar construction required.”⁴ Human rights experts have condemned the plan as “cruel and inhumane” by design.⁵ Construction progressed at “turbo speed,”⁶ and it remains unclear whether the facility has plans to ensure medical care, rapid hurricane evacuation, access to counsel, and sufficient infrastructure for sewage, running water, and temperature controls, despite being located in one of the “hottest parts of the state.”⁷ When Florida legislators visited the detention facility, they found temperatures exceeding 83 degrees in the tents without any detainees.

Although the land is owned by Miami-Dade County, Florida Governor Ron DeSantis used emergency powers to take control of the site.⁸ Reports suggest that the state of Florida is holding

¹ CBS News, “How Florida is building ‘Alligator Alcatraz,’ an immigration detention site in the Everglades swamps,” June 25, 2025, <https://www.cbsnews.com/miami/news/what-to-know-about-alligator-alcatraz-floridas-immigration-detention-site/>.

² The Hill, “Trump administration eyes ‘Alligator Alcatraz’ for migrant detentions,” Elizabeth Crisp, June 24, 2025, <https://thehill.com/homenews/state-watch/5366062-trump-administration-expedites-florida-detention-site/>.

³ “Remarks by President Trump,” July 1, 2025, <https://x.com/Acyn/status/194002585506596861>.

⁴ NPR, “Trump tours ‘Alligator Alcatraz,’ a day before its first arrivals are expected,” Rachel Treisman, July 1, 2025, <https://www.npr.org/2025/07/01/nx-s1-5453078/trump-alligator-alcatraz-visit-migrant-detention-center>; CBS News, “How Florida is building ‘Alligator Alcatraz,’ an immigration detention site in the Everglades swamps,” June 25, 2025, <https://www.cbsnews.com/miami/news/what-to-know-about-alligator-alcatraz-floridas-immigration-detention-site/>.

⁵ CBS News, “How Florida is building ‘Alligator Alcatraz,’ an immigration detention site in the Everglades swamps,” June 25, 2025, <https://www.cbsnews.com/miami/news/what-to-know-about-alligator-alcatraz-floridas-immigration-detention-site/>.

⁶ Time, “Florida’s ‘Alligator Alcatraz’ Detention Center Sparks Major Concern as Construction Begins: ‘An Obscene Human Rights Violation,’” Rebecca Schneid, June 29, 2025, <https://time.com/7297505/florida-alligator-alcatraz-migrant-detention-center/>.

⁷ Time, “Florida’s ‘Alligator Alcatraz’ Detention Center Sparks Major Concern as Construction Begins: ‘An Obscene Human Rights Violation,’” Rebecca Schneid, June 29, 2025, <https://time.com/7297505/florida-alligator-alcatraz-migrant-detention-center/>; New York Times, “Florida Builds ‘Alligator Alcatraz’ Detention Center for Migrants in Everglades,” Hamed Aleaziz, June 23, 2025, <https://www.nytimes.com/2025/06/23/us/politics/florida-alligator-alcatraz-migrant-detention-center.html>; NBC News, “‘Alligator Alcatraz’ provides a political ‘boon’ for Ron DeSantis and his top allies,” Matt Dixon, June 28, 2025, <https://www.nbcnews.com/politics/immigration/alligator-alcatraz-ron-desantis-top-allies-rcna215647>.

⁸ NBC News, “‘Alligator Alcatraz’ provides a political ‘boon’ for Ron DeSantis and his top allies,” Matt Dixon, June 28, 2025, <https://www.nbcnews.com/politics/immigration/alligator-alcatraz-ron-desantis-top-allies-rcna215647>; Herald Tribune, “Sarasota vendor receives threats after providing meals at ‘Alligator Alcatraz’ build site,” Melissa Pérez-Carrillo, June 29, 2025, <https://www.heraldtribune.com/story/news/local/2025/06/29/sarasota-company->

hundreds of people with no criminal record and others with legal immigration status, including Deferred Action for Childhood Arrivals (DACA) holders.⁹ U.S. Immigration and Customs Enforcement (ICE) has stated that it will partner with Florida to detain migrants at the site pending deportation, but it is not clear what role ICE is playing in this detention center.¹⁰

Experts worry this novel state-run immigration detention model will allow Florida to create an “independent, unaccountable detention system” that runs parallel to the federal detention system.¹¹ Florida Governor Ron DeSantis touted that the facility will “cut through” the standard legal process in federal immigration court, and the state will instead deputize the National Guard and “other folks in Florida” as immigration judges within the facility, to facilitate rapid deportations.¹²

Fundamentally, a state’s ability to participate in immigration enforcement is limited by the federal Supremacy Clause.¹³ The Supreme Court also reiterated that states are precluded from regulating conduct in a field that Congress, acting within its proper authority, has determined must be regulated by its exclusive governance.¹⁴ A Florida-run immigration detention system is particularly troubling given that, according to agency records, Florida has been the site of a whopping 40 percent of all deaths in ICE custody nationwide thus far in 2025.¹⁵ It is especially concerning that immigrants’ rights advocates in Florida have filed a lawsuit alleging that people detained at the facility have been denied access to counsel and “effectively have no way to contest their detention.”¹⁶ With that said, this problematic and seemingly unlawful model may

[receives-death-threats-over-alligator-alcatraz-work/84357848007/](https://www.miamiherald.com/news/local/immigration/article310337645.html).

⁹ The Miami Herald, “DACA recipient detained at Alligator Alcatraz, attorney says. ‘We don’t know why,’” July 10, 2025, <https://www.miamiherald.com/news/local/immigration/article310337645.html>

¹⁰ *Friends of the Everglades v. Noem*, No. 25-cv-22896-JEM (2025) (“DHS has not implemented, authorized, directed, or funded Florida’s temporary detention center.”) Time, “Florida’s ‘Alligator Alcatraz’ Detention Center Sparks Major Concern as Construction Begins: ‘An Obscene Human Rights Violation,’” Rebecca Schneid, June 29, 2025, <https://time.com/7297505/florida-alligator-alcatraz-migrant-detention-center/>.

¹¹ New York Times, “Florida Builds ‘Alligator Alcatraz’ Detention Center for Migrants in Everglades,” Hamed Aleaziz, June 23, 2025, <https://www.nytimes.com/2025/06/23/us/politics/florida-alligator-alcatraz-migrant-detention-center.html>; Time, “Florida’s ‘Alligator Alcatraz’ Detention Center Sparks Major Concern as Construction Begins: ‘An Obscene Human Rights Violation,’” Rebecca Schneid, June 29, 2025, <https://time.com/7297505/florida-alligator-alcatraz-migrant-detention-center/>; WLRN, “Florida to build ‘Alligator Alcatraz’ detention center for migrants in Everglades,” Hamed Aleaziz, June 24, 2025, <https://www.wlrn.org/light/immigration/2025-06-24/florida-to-build-alligator-alcatraz-detention-center-for-migrants-in-everglades>.

¹² Fox News, “Self-deport or end up in ‘Alligator Alcatraz,’ Noem warns migrants during Trump visit,” Michael Dorgan, July 1, 2025, <https://www.foxnews.com/politics/self-deport-end-up-alligator-alcatraz-noem-warns-migrants-during-trump-visit>.

¹³ See U.S. Const. art. VI (making federal law the “supreme Law of the Land”); *Arizona v. United States*, 567 U.S. 387 (2012).

¹⁴ See *Gade v. National Solid Wastes Management Assn.*, 505 U.S. 88, 115 (1992).

¹⁵ New York Times, “Canadian Citizen Dies at ICE Detention Center in Florida,” Hannah Ziegler, June 26, 2025, <https://www.nytimes.com/2025/06/26/us/canadian-dies-ice-custody-florida.html?smid=nytcore-ios-share&referringSource=articleShare>.

¹⁶ CBS News, “Immigration rights groups, ACLU lawsuit alleges Alligator Alcatraz preventing detainees from having attorney access,” July 16, 2025, <https://www.cbsnews.com/miami/news/alligator-alcatraz-aclu-attorney-access-lawsuit/>.

grow to expand beyond Florida: Secretary Noem has said, “Florida was unique in what they presented to us, and I would ask every other governor to do the exact same thing.”¹⁷

Beyond human rights and due process issues, this plan raises serious environmental concerns. The site of the facility, the Dade-Collier Training and Transition Airport, is a little-used airstrip that was initially built to anchor “the world’s largest airport,” but the airport was never built, primarily due to environmental challenges.¹⁸ The location is a highly-sensitive stretch of the Everglades National Park and Big Cypress National Preserve. Over the past 35 years, the federal government and Florida have jointly invested more than \$10 billion into the Everglades to restore and protect its delicate ecosystem.¹⁹ Environmental experts warn that the increased activity will pose serious environmental risks²⁰—not only for the vulnerable wetlands but for the millions of people who rely on the area for access to freshwater. The vast wetlands are a major water source for more than 10 million South Floridians, with 300 million gallons of fresh water pumped out daily.²¹

Furthermore, Tribal leaders have “denounced” plans to place a detention field on their ancestral lands that are home to 15 traditional Miccosukee and Seminole villages and several “ceremonial grounds, burial grounds, and gathering sites.”²² Not only would the facility harm the “cultural, spiritual and historical identity” of Miccosukee and Florida Seminole people, but tribal leaders have also expressed concerns that disruptions to the environment would negatively impact the ability of nearby tribes to “live, hunt, fish, gather and pray.”²³

While this detention facility may prove disastrous for human rights, due process, environmental, and Tribal interests, it is poised to be lucrative for private vendors. Reporting suggests that a

¹⁷ Fox News, “Self-deport or end up in ‘Alligator Alcatraz,’ Noem warns migrants during Trump visit,” Michael Dorgan, July 1, 2025, <https://www.foxnews.com/politics/self-deport-end-up-alligator-alcatraz-noem-warns-migrants-during-trump-visit>.

¹⁸ CNN, “Everglades Jetport: The ‘world’s greatest airport’ that never was,” Jacopo Prisco, October 24, 2022, <https://www.cnn.com/travel/article/everglades-jetport-florida-cmd>.

¹⁹ Washington Post, “Florida builds ‘Alligator Alcatraz’ for migrant detainees in Everglades,” Lori Rozsa, June 24, 2025, <https://www.washingtonpost.com/nation/2025/06/24/florida-desantis-ice-detention-center-everglades/>.

²⁰ Friends of the Everglades, Inc., and Center for Biological Diversity, vs the Department of Homeland Security and Immigration and Customs Enforcement, case 1:25-cv-22896 (2025), https://www.biologicaldiversity.org/campaigns/freshwater_protection/pdfs/FOE-and-CBD-v.-DHS-and-ICE-06.27.25.pdf?_gl=1*slljdp*_gcl_au*MTgxMzQ2NjExLjE3NTEzODUxOTI.

²¹ Washington Post, “Florida builds ‘Alligator Alcatraz’ for migrant detainees in Everglades,” Lori Rozsa, June 24, 2025, <https://www.washingtonpost.com/nation/2025/06/24/florida-desantis-ice-detention-center-everglades/>; Everglades Foundation, “Drinking Water From the Everglades,” <https://www.evergladesfoundation.org/post/drinking-from-the-everglades>.

²² Tallahassee Democrat, “Seminole Tribe of Florida joins opposition to ‘Alligator Alcatraz’ in Everglades,” Ana Goñi-Lissan, July 2, 2025, <https://www.tallahassee.com/story/news/local/state/2025/07/02/seminole-tribe-calls-alligator-alcatraz-threat-to-sacred-lands-florida/84450024007/>.

²³ Tallahassee Democrat, “Tribal nations band together to denounce ‘Alligator Alcatraz’ on Florida ancestral homelands,” Ana Goñi-Lissan, June 26, 2025, <https://www.tallahassee.com/story/news/local/state/2025/06/26/tribal-nations-denounce-building-alligator-alcatraz-on-sacred-land-florida/84331407007/>.

“team of vendors” may be partnering with Florida officials to manage the facility, raising concerns about potential conflicts of interest.²⁴

Given that DHS is working directly with the Florida state government on a detention facility with alarming implications, DHS should ensure transparency and accountability surrounding the facility’s financing operations. Therefore, we ask that you respond to the following questions by September 3, 2025:


1. Please provide a copy of any memoranda of understanding or other agreements between the state of Florida and DHS (or any of its components) related to the operation of this detention facility.
2. What legal authority allows the state of Florida to construct and operate any migrant detention facilities?
 - a. Please provide a detailed legal reasoning explaining how the cited legal authority allows the state of Florida to construct and operate a migrant detention facility?
 - b. Is this detention facility’s construction and operation under the direct control of the Department of Homeland Security as presented in *Friends of the Everglades v. Noem* (No. 25-22896-CV-WILLIAMS (2025)) or the State of Florida?
3. Is the facility subject to federal standards for the treatment of detainees, such as the 2011 Performance-Based National Detention Standards and the Prison Rape Elimination Act (PREA) of 2003 (P.L. 108-79)?
 - a. Have there been any inspections of detention standards at this facility since detainees were transferred in? If so, what were the findings?
 - b. What is the state licensed and unlicensed staff to detainee ratio? Please disaggregate by license type.
 - c. How can detainees file a complaint with the DHS Inspector General?
 - d. How can detainees file a complaint with the DHS Office of Civil Rights and Civil Liberties?
 - e. How can detainees file a complaint with the DHS Office of the Immigration Detention Ombudsman (OIDO)?
 - f. How can detainees request medical attention?
4. What private vendors are being contracted to participate in operating the detention facility?
 - a. What oversight mechanisms are being implemented to ensure compliance with federal, state, and international law?
5. What measures are being taken to ensure access to clean drinking water, food, sewage infrastructure, temperature regulation, and medical care for detained migrants?
 - a. Additionally, what measures are being taken to protect migrants from environmental conditions like floods, pests, dangerous animals, extreme heat, and potential hurricanes?

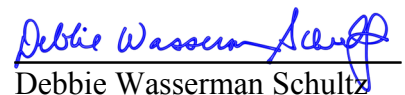
²⁴ CBS News, “How Florida is building ‘Alligator Alcatraz,’ an immigration detention site in the Everglades swamps,” June 25, 2025, <https://www.cbsnews.com/miami/news/what-to-know-about-alligator-alcatraz-floridas-immigration-detention-site/>.

6. Were any environmental reviews conducted before construction of the facility? If so, what were the findings?
7. Provide a copy of the pre-inspection results and any post-inspection results that are available.
8. How will increased air traffic, development, water runoff, and general human activity affect the surrounding ecosystem?
 - a. What steps will be taken to prevent contamination of the freshwater source that supplies drinking water to 10 million Floridians?
9. Are minors detained at the facility? If yes, provide the ages of all minors in custody as of the date of this letter.
10. Are women detained at the facility?
11. What criteria is used to segregate detainees?
12. Please describe how the facility upholds due process requirements under the U.S. Constitution and Immigration and Nationality Act.
 - a. How does the facility facilitate in-person and virtual access to counsel? If so, how many attorney access meetings have occurred as of the date of this letter?
 - b. How does the facility facilitate access to screenings by asylum officers?
 - c. How does the facility manage attendance at immigration or state or federal court hearings?
13. What consultations were done with the Miccosukee and Seminole tribes before construction of the detention facility?
14. How is the State of Florida complying with existing federal laws like the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act?
15. What criteria if any did DHS provide for the approval of federal reimbursement?
 - a. How will the use of FEMA resources for the construction and operation of this facility impact federal and state-level readiness for responding to hurricane season?
 - b. Are federal Shelter and Services (SSP) grant funds financing this detention facility? If so, how will these funds be used in a manner consistent with federal statute prohibiting the use of SSP funds for custodial detention?
16. What is FEMA's justification for awarding SSP funds as a sole source award to the State of Florida instead of through a competitive award process?

Thank you for your attention to this critical matter.

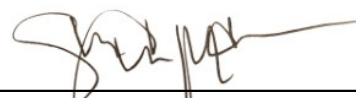
Sincerely,


Jeffrey A. Merkley
United States Senator


Debbie Wasserman Schultz
Member of Congress



Elizabeth Warren
United States Senator



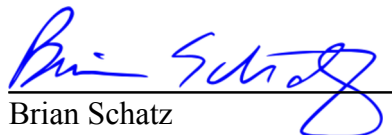
Sheila Cherfilus-McCormick
Member of Congress



Jon Ossoff
United States Senator



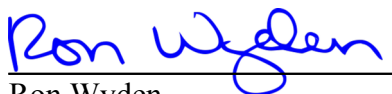
Frederica S. Wilson
Member of Congress



Brian Schatz
United States Senator



Lois Frankel
Member of Congress



Ron Wyden
United States Senator



Maxwell Alejandro Frost
Member of Congress



Chris Van Hollen
United States Senator



Kathy Castor
Member of Congress



Mazie K. Hirono
United States Senator



Nikema Williams
Member of Congress



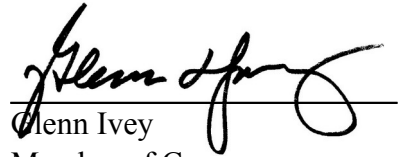
Cory A. Booker
United States Senator



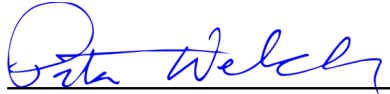
Henry C. "Hank" Johnson, Jr.
Member of Congress



Tina Smith
United States Senator



Glenn Ivey
Member of Congress



Peter Welch
United States Senator



Betty McCollum
Member of Congress



Rashida Tlaib
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Dan Goldman
Member of Congress



Gwen S. Moore
Member of Congress



Valerie P. Foushee
Member of Congress



J. Luis Correa
Member of Congress



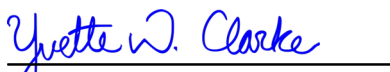
Jesús G. "Chuy" García
Member of Congress



Janelle S. Bynum
Member of Congress



Pramila Jayapal
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Yvette D. Clarke
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Eleanor Holmes Norton
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Juan Vargas
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Dina Titus
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Bradley Scott Schneider
Member of Congress



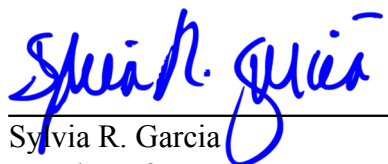
Suzan K. DelBene
Member of Congress



MARK TAKANO
Member of Congress



Summer L. Lee
Member of Congress



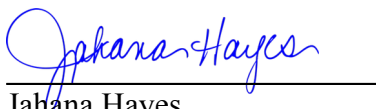
Sylvia R. Garcia
Member of Congress



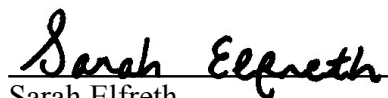
Zoe Lofgren
Member of Congress



Delia C. Ramirez
Member of Congress



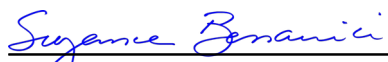
Jahana Hayes
Member of Congress



Sarah Elfreth
Member of Congress



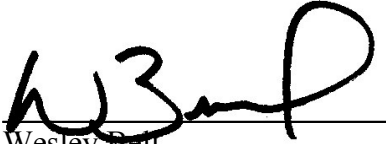
Maxine Dexter
Member of Congress



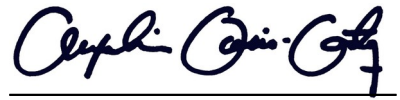
Suzanne Bonamici
Member of Congress



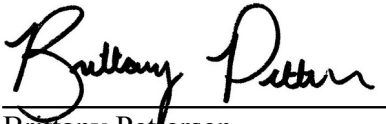
Jasmine Crockett
Member of Congress



Wesley Bell
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



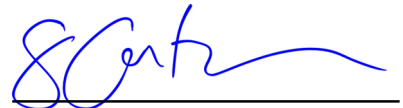
Brittany Pettersen
Member of Congress



James P. McGovern
Member of Congress



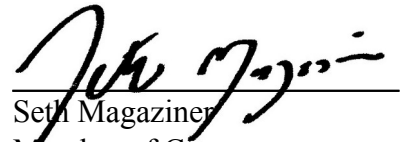
Mike Thompson
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Sean Casten
Member of Congress



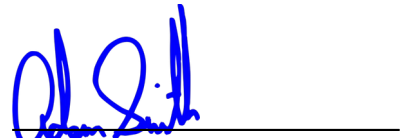
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Seth Magaziner
Member of Congress



Danny K. Davis
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Yassamin Ansari
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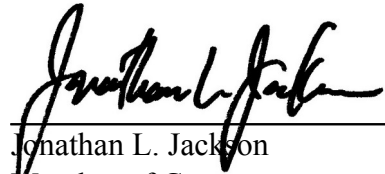
Seth Moulton
Member of Congress



Mike Quigley
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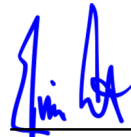
Emanuel Cleaver, II
Member of Congress



Jonathan L. Jackson
Member of Congress



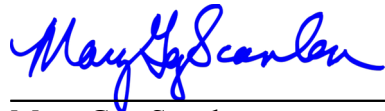
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Jim Costa
Member of Congress



Paul D. Tonko
Member of Congress



Mary Gay Scanlon
Member of Congress



Veronica Escobar
Member of Congress