

U.S. House of Representatives
Committee on the Judiciary

Washington, DC 20515–6216
One Hundred Sixteenth Congress

September 23, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
301 7th Street, SW
Washington, D.C. 20528

Dear Acting Secretary Wolf:

We are deeply concerned about the growing number of reports involving unnecessary or non-consensual medical procedures performed on women detained at the Irwin County Detention Center (ICDC) in Ocilla, Georgia.¹ These allegations suggest the existence of systemic problems that must be addressed immediately. In the immediate term, we urge you to:

1. Pause the removal of any individual who experienced any medical procedure at ICDC;
2. Allow individuals who may have experienced an unnecessary or non-consensual procedure to have immediate access to adequate, safe, and consensual medical treatment or seek a second opinion from an independent doctor;
3. Ensure individuals do not experience retaliation at ICDC, including by ensuring access to telephones and tablets and ensuring that any referral to the facility psychiatrist and placement in segregation is in full compliance with standards of care; and
4. Preserve all relevant records dating from January 1, 2017, including but not limited to copies of all documents and communications related to requests for medical assistance by detainees at Irwin, medical records for individuals receiving treatment from Dr. Mahendra Amin (or his staff), interpreter logs, and surveillance footage.

After the initial complaint was filed on September 14, 2020, additional information has emerged about medical treatment at ICDC, particularly with respect to female detainees who experienced gynecological medical treatment, including full or partial hysterectomies and other surgeries involving their reproductive organs. These reports indicate that many of these

¹ Complaint to the Dep't of Homeland Security Inspector General, Office of Civil Rights and Civil Liberties, ICE Atlanta Field Office & Irwin County Detention Center re: "Lack of Medical Care, Unsafe Work Practices, and Absence of Adequate Protection Against COVID-19 for Detained Immigrants and Employees Alike at the Irwin County Detention Center," Project South, Georgia Detention Watch, Georgia Latino Alliance for Human Rights & South Georgia Immigrant Support Network (Sep. 14, 2020), <https://projectsouth.org/wp-content/uploads/2020/09/OIG-ICDC-Complaint-1.pdf>.

procedures were either unnecessary and/or performed without the knowledge or consent of the detainee, which is especially alarming given that many of the procedures can result in sterilization or lead to serious continuing reproductive consequences.² An initial review of available medical records by independent gynecologists was shared with our offices and raise serious questions about whether patients provided informed consent and whether Dr. Amin adhered to the prevailing standards of care.

In light of these allegations, it is absolutely essential that Dr. Amin not be permitted to see patients during the pending investigation by the Department of Homeland Security (DHS) Office of Inspector General. It is also critical that the patients, who are material witnesses to the alleged misconduct, are allowed to remain in the United States and permitted to safely and freely share their experiences with the Inspector General and Congress as part of pending investigations.

In response to previous document requests this year, DHS stated that an active investigation by the DHS Inspector General prevents the agency from complying with our request. However, to the extent that Congress has recognized a “pending investigation” exception to past oversight requests, it has applied to the investigators, not to the agency more broadly.³ We thus respectfully ask that you respond by October 2, 2020, and produce all relevant documents, data, and communications to the following:

1. Copy of Dr. Amin’s contract to provide services for people detained at ICDC.
2. The number of appointments Dr. Amin (or his staff) has had with individuals in Immigration and Customs Enforcement (ICE) custody since January 1, 2017.
3. The number of appointments Dr. Amin (or his staff) has had with individuals in ICE custody since January 1, 2017 where an interpreter was present. Please include copies of any records of translation or interpretation logs related to these appointments.
4. The number of individuals in ICE custody subject to a request for follow-up treatment, including treatment involving surgery or another medical procedure, by Dr. Amin (or his

² See, e.g., Nomaan Merchant, *More migrant women say they did not consent to surgeries at ICE center*, THE GUARDIAN (Sep. 18, 2020), <https://www.theguardian.com/us-news/2020/sep/18/migrant-women-us-detention-center-georgia>.

³ The Department of Justice produced nearly one million pages of documents, including classified materials, memos describing interactions with President Trump, documents and emails related to the deliberative process and leadership decision-making, copies of existing precedent and relevant statutes, and electronic communications authorizing investigations into Russian election interference relating to the joint Judiciary-Oversight Committees’ inquiry into the Hillary Clinton email investigation and the origins of the Russia investigation. This included fifteen former and current DOJ and FBI officials for transcribed interviews and hearings. This investigation overlapped with an ongoing Inspector General review of the same matter, and occurred as U.S. Attorney John Huber was asked to conduct additional review on this and related matters. The FBI also provided Judiciary Committee members with a classified briefing regarding the Inspector General’s report and produced more than 1,500 pages of unclassified and classified-Secret documents related to possible FISA coverage of the Clinton Foundation. The Department is also currently producing documents relating to the Inspector General’s “Review of Four FISA Applications and Other Aspects of the FBI’s Crossfire Hurricane Investigation” and is making current and former Department officials available for interview by the Senate Judiciary Committee.

staff) since January 1, 2017. Please include the number of requests denied and granted.

5. The number of surgeries Dr. Amin (or his staff) has performed on individuals in ICE custody since January 1, 2017. Please include records of ICE Health Services Corp (IHSC) approvals obtained for these procedures, as well as the relevant IHSC consents (Form 793). If a Form 793 is not available for an individual, please provide records describing how patient consent was obtained and documented.
6. The number of procedures on individuals in ICE custody performed by Dr. Amin (or his staff) involving partial or full hysterectomies, partial or full tubal ligations, the full or partial removal of a fallopian tubes, or other procedures that could result in sterilization and other reproductive surgeries that could result in other sustained complications.
7. The number of individuals in ICE custody who were referred for mental health services since January 1, 2017 after refusing treatment from Dr. Amin (or his staff).
8. Copies of records of payments to Dr. Amin (or his companies or staff) relating to his treatment of individuals in ICE custody since January 1, 2017.
9. Copies of records for each instance in which Dr. Amin billed Medicare Provider Analysis and Review (MEDPAR) for a procedure involving an individual in ICE custody since he began providing services at ICDC. Please breakdown billing by type of procedure performed.
10. Copies of any significant incident report indicating services performed by Dr. Amin.
11. The total number of complaints submitted by individuals in ICE custody concerning Dr. Amin. Please also provide a description of any action that was taken in response to each complaint.
12. The number of medical procedures performed on individuals housed at ICDC by employees or contractors of Amin P.C., MGA Health Management, Inc., MGA Investments LLP, and Mehandra Investments, Inc, since January 1, 2017.
13. Copies of Medical Case Management Unit records involving Dr. Amin.
14. Copies of records of Director Dashboards regarding medical care or hospitalization at ICDC.
15. Copies of records of Office of Acquisition Management (OAQ) reimbursements to LaSalle Transport, LLC for trips between ICDC and Dr. Amin's outpatient clinic at 1150 Kirkland Lane Douglas GA 31533, or to Irwin Medical Center at 2016 Ocilla Rd., Douglas GA 31533.
16. The number of gynecological procedures performed on individuals in ICE custody, broken down by doctor, since Dr. Amin began contracting with ICE.

17. The number of women who received medical treatment from Dr. Amin who were removed from the United States from September 14, 2020 to date.

Thank you for your prompt attention to this matter.

Sincerely,



PRAMILA JAYAPAL
Vice Chair
Subcommittee on Immigration
and Citizenship



JERROLD NADLER
Chairman
Committee on the Judiciary



ZOE LOFGREN
Chair
Subcommittee on Immigration
and Citizenship

cc: Tony H. Pham, Acting Director, Immigration and Customs Enforcement, Department of Homeland Security

Joseph V. Cuffari, Inspector General, Department of Homeland Security;

Patricia Nation, Office of Civil Rights and Civil Liberties, Department of Homeland Security

The Honorable Jim Jordan, Ranking Member, Committee on the Judiciary

The Honorable Ken Buck, Ranking Member, Subcommittee on Immigration and Citizenship