

Secretary

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

September 29, 2026

The Honorable Timothy M. Kennedy
U.S. House of Representatives
Washington, DC 20515

Dear Representative Kennedy:

Thank you for your July 8, 2026 letter to the Department of Homeland Security (DHS).

U.S. Immigration and Customs Enforcement (ICE) plans to continue construction of a new detention facility at the Buffalo Service Processing Center. The American people voted overwhelmingly in 2024 for mass deportations, and that is what this Department, under my leadership, is going to deliver, in part due to increased ICE detention capacity.

Enclosed, please find responses to your specific questions. Should you wish to discuss this matter further, please contact the DHS Office of Legislative Affairs at (202) 447-5890.

Sincerely,

A handwritten signature in blue ink, reading "Markwayne Mullin", with a horizontal line underneath.

Markwayne Mullin
Secretary of Homeland Security

Enclosure

**Department of Homeland Security's Response to
Representative Tim Kennedy's July 8, 2026 Letter**

1. As of July 8, 2026, how many individuals are currently being held at Batavia?

Response: As of July 8, 2026, there were 653 detainees housed at the Buffalo (Batavia) Service Processing Center (SPC).

a. What percentage of those individuals possess a criminal record? How many detainees are being held for a civil immigration offense?

Response: Twenty-eight percent of the current detainees in the Buffalo (Batavia) SPC have criminal records. Every detainee in the Buffalo (Batavia) SPC is being held for violating U.S. immigration laws. U.S. Immigration and Customs Enforcement (ICE) does not house anyone pursuant to pending criminal charges, as they would be remanded to U.S. Marshals Service custody.

Known criminal history is not a prerequisite for immigration enforcement action and never has been. The American people support the removal of illegal aliens, not just those with known criminal records, to say nothing of the untold number of illegal aliens who commit crimes every day, such as identity theft and fraud, for which they are never arrested or charged. These crimes affect Americans across the country, including your own constituents. Please also note that the vast majority of people who enter the United States illegally have committed a federal criminal offense in violation of Section 8 of the United States Code. The federal government simply chooses to prosecute those crimes civilly because criminal prosecutions against all the illegal aliens ICE arrests would almost certainly overwhelm our federal criminal courts, and cost U.S. taxpayers untold billions to prosecute and subsequently incarcerate the millions of illegal aliens in this country criminally.

2. What appropriated funds is DHS using to build the new facility? What is the total estimated cost of designing, constructing, and operating the new facility?

Response: Funding from the One Big Beautiful Bill Act will be used. The estimated cost of standing-up and operating the facility in the first year is \$8,779,275.

3. Does ICE plan to detain men, women, or children at the new facility?

Response: No children will be housed at the Buffalo (Batavia) SPC or the planned hard-sided structure. The Buffalo (Batavia) SPC houses male detainees. ICE currently plans to house female detainees in the temporary hard-sided facility due to the recently enacted laws by New York State limiting cooperation with ICE and not permitting county jails to enter into contracts with ICE to house illegal aliens. However, if the needs of the service dictate, males could also be housed there.

4. Has construction on the 100-bed facility begun? If so, when?

Response: No.

5. What additional medical infrastructure, if any, is DHS planning to build?

Response: Tentatively, ICE has identified the following additional medical infrastructure needs for the expansion: one Nurse Manager office; one Infection Prevention Officer office; one Facility Healthcare Program Manager office; four exam rooms to be used by advanced practice providers and nurses; three behavioral health consultation rooms; one laboratory room; one urgent care room; one supply storage room; one pill line room; one dental triage room; a Medical Records Technician room to accommodate three staff workspaces; an Administration Office room to accommodate two staff workspaces; a patient holding cell with sinks and toilets; one staff multipurpose room; two staff restrooms; one biohazard room; one soiled linen room; a Medical Housing Unit with six separate rooms, including two medical observation rooms, two suicide watch rooms, and two Airborne Infection Isolation rooms; and a Nurses Station with three staff workstations.

6. What are the staffing needs for DHS's planned new facility?

Response: This project is in the planning phase, and the required staffing levels are still being discussed. Akima Infrastructure Protection is the contractor that staffs the Buffalo (Batavia) SPC. Their management is engaged in this process and will eventually propose staffing levels. ICE Health Service Corps requires the following staff:

- Registered Nurse – 12
- Licensed Vocational Nurse – 5
- Certified Pharmacy Technician – 1
- Dentist – 1
- Dental Assistant – 2
- Licensed Social Worker – 5
- Advanced Practice Provider – 3
- Medical Radiation Technologist – 1
- Recreation Coordinator – 2

7. Please provide all records related to the decision to construct the facility, including official memos, cost estimates, and communications with any contractors.

Response: Please refer to the attached memo, *Contract Approval: Batavia Service Processing Center Soft Sided Facility*.



**U.S. Immigration
and Customs
Enforcement**

June 15, 2026

TO: Charles Wall
Deputy Director
U.S. Immigration and Customs Enforcement

THROUGH: Marcos D. Charles /s/
Acting Executive Associate Director
Enforcement and Removal Operations

FROM: Ralph Ferguson /s/
Assistant Director for Operations Support
Enforcement and Removal Operations

SUBJECT: **Contract Approval: Batavia Service Processing Center Soft Sided Facility**

Purpose: U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) intend to fund contract number 70CDCR25D00000011 (current task order 70CDCR25FR0000094) during Fiscal Year 2026 for the expansion and continued provision of detention services to detainees housed at the Batavia Service Processing Center.

Batavia Service Processing Center Soft Sided Facility (70CDCR25D00000011)

- Description of services/products: Batavia Service Processing Center Soft Sided Facility
- Total Contract Action Value: \$16,703,366.80 (two-year cost; includes \$5M for contingencies)
- Total Action Obligation Value: \$16,703,366.80 (two-year cost; includes \$5M for contingencies)
- Period of Performance: 06/01/2026 - 07/31/2027
- Funding Source: One Big Beautiful Bill
- Planned Number of Beds:

Context: This contract supports the ERO Buffalo area of responsibility through the expansion and provision of detention services for illegal aliens. Any lapse will cause irreparable damage to the mission by disrupting detention services and continuity of operations directly targeted towards upholding America's immigration laws. Unlike other detention support contracts, this vendor will be providing not only guard services but also constructing and maintaining a complete self-sustaining soft sided temporary detention facility adjacent to the Batavia Service Processing Center. The vendor will be responsible for the construction, maintenance, operation and ultimate reconstitution of the temporary facility. This contract action will provide a six-month base

construction/operation period and three six-month operation periods for a total of 24 months of support. While this approach may be more expensive, it is necessary to meet the immediate and urgent bedspace requirements in the Buffalo area of responsibility.

Signature Level Justification: Approval is essential to achieve ICE's mission relating to the detention, health, welfare, transportation, and deportation of detainee aliens in removal proceedings, and those subject to a final order of removal from the United States. If ICE is unable to fund these services, it will hinder ICE's ability to fulfill its core mission of housing and removing detainee aliens and will compromise the agency's mission to ensure national security, public safety, uphold immigration laws, and maintain operational effectiveness. This approval is applicable to the current and any subsequent contract or task order changes throughout Fiscal Year 2026 and 2027.

Timeliness: Approval is requested as soon as possible to allow for continuity of operations and award of contract and funding modifications.

Attachment:

1. Batavia Service Processing Center Soft Sided Facility / 70CDCR25D00000011

Attachment: Batavia Service Processing Center Soft Sided Facility / 70CDCR25D00000011

Component	Contract																																																																																									
ICE	Mission Impact: ERO requires the successful operation of this facility to include detention services. This support to ERO is in alignment with Executive Order 14159 – <i>Protecting the American People Against Invasion</i> (January 20, 2025). This aligns with ERO’s mission to protect the homeland by arresting and removing individuals who threaten national security, community safety and violate immigration laws.																																																																																									
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	Type of Procurement Action: New																																																																																									
	Vendor: Akima Global Services																																																																																									
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2004	Voluntary Work Program	DAY			
	Total				
OPTION PERIOD 3 - 6 MONTHS					
3001	Initial Structure Detention Services and Facility Operating Charges	MO			
3003	On-Call Stationary Guard Services	LH			
3004	Voluntary Work Program	DAY			
	Total				
	Contract Contingency (if required)				
	Total Estimated Price				\$16,703,366.80
Funding Source: One Big Beautiful Bill Period of Performance: 06/01/2026 - 07/31/2027 Competitive/Sole Source: Sole Source Ramp Up: N/A Proposals/Offerors Received: N/A Pricing Narrative: Pricing was determined fair and reasonable during contract negotiation.					

Approve/date _____

Disapprove/date _____

Source Selection Information -- See FAR 2.101 and 3.104