

**U.S. House of Representatives**  
**Committee on the Judiciary**  
Washington, DC 20515-6216  
One Hundred Sixteenth Congress

March 18, 2020

The Honorable William Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

James McHenry  
Director  
Executive Office for Immigration Review  
5107 Leesburg Pike, 18<sup>th</sup> Floor  
Falls Church, VA 22041

Dear Attorney General Barr and Director McHenry:

Last week, the World Health Organization declared the novel coronavirus (COVID-19) a global pandemic. Reports of confirmed cases and deaths in the United States continue to increase daily. On March 16, 2020, the White House issued official COVID-19 guidance, instructing the public to “avoid social gatherings in groups of more than 10 people.”<sup>1</sup>

While we applaud the Department of Justice’s (DOJ) decision to postpone all non-detained immigration hearings, and temporarily close several immigration courts, more must be done to meet the demands of this growing crisis. As such, we write to request that DOJ and the Executive Office for Immigration Review (EOIR) take urgent measures, in addition to closing individual courts as needed, to protect the public from the COVID-19 outbreak. Toward this end, DOJ and EOIR should immediately suspend all immigration court master calendar and individual hearings and hold telephonic bond hearings for detained individuals until the courts return to normal operating status.

These life-saving measures are necessary to minimize the risk of infection to immigration judges and other court personnel, government and private sector attorneys, and noncitizen respondents and their families.<sup>2</sup> Forcing individuals to congregate in crowded waiting areas and

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<sup>1</sup> The White House, *The President’s Coronavirus Guidelines for America* (Mar. 16, 2020), [https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20\\_coronavirus-guidance\\_8.5x11\\_315PM.pdf](https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf).

<sup>2</sup> See also Letter from the American Immigration Lawyers Association to The Honorable William P. Barr et al. (Mar. 16, 2020), <https://www.aila.org/advo-media/aila-correspondence/2020/letter-to-ice-and-eoir-regarding-urgent-covid-19>.

courtrooms poses a grave public health threat, and directly violates the March 16, 2020 White House guidance.<sup>3</sup>

Thank you for your prompt attention to this urgent matter.

Sincerely,

A handwritten signature in black ink that reads "Jerrold Nadler". The signature is written in a cursive, flowing style.

Jerrold Nadler  
Chairman  
House Committee on the Judiciary

cc: The Honorable Jim Jordan, Ranking Member, House Committee on the Judiciary

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<sup>3</sup> See *supra* note 1.