

United States Senate

WASHINGTON, DC 20510-0309

April 16, 2026

The Honorable Markwayne Mullin
Secretary
Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20536

Dear Secretary Mullin,

We write to follow up on our letter dated February 10, 2026, regarding the Department of Homeland Security's (Department) acquisition of a commercial warehouse facility in Surprise, Arizona and the Department's plans to convert this warehouse into a detention facility.¹ To date, we have not received a response. However, in the weeks since, the Department has continued to advance detention-related projects in Arizona without providing timely, consistent, complete, or accurate information to local officials, our offices, or the public. Given the scale and pace of these efforts and the Department's review of detention projects nationwide,² we urge the Department to stop the planned detention projects in Arizona, including in Surprise and Marana, until there is full transparency and a thorough assessment of the impact these facilities will have on Arizona communities.

We continue to share the same concerns expressed in our February 10th letter. Despite that letter and concerns raised by local, state, and federal officials, the Department has continued to move forward with acquisitions and contracts with only minimal public input or transparency—leaving communities to learn primarily through public reporting about major decisions that will impact them for years. While it is a positive step that DHS has since met with some local leadership, that outreach occurred as an afterthought, only after key decisions had already been made. It does not substitute for the early coordination and robust, regular consultation that should come with projects of this magnitude that have significant lasting impacts on local communities.

Last year, the Department received tens of billions of taxpayer dollars for expanded enforcement and detention operations with little to no oversight built in. Now, the Department's rushed and secretive approach raises serious concerns about how it is spending those funds. The warehouse in Surprise was purchased for more than \$70 million, nearly thirty percent above the estimated

¹ "Kelly, Gallego Demand Answers from DHS on Surprise, AZ Warehouse Purchase for ICE Facility," U.S. Senator Mark Kelly Newsroom, February 10, 2026, <https://www.kelly.senate.gov/newsroom/press-releases/kelly-gallego-demand-answers-from-dhs-on-surprise-az-warehouse-purchase-for-ice-facility/>.

² Annie Grayer and Michael Williams, "Markwayne Mullin has started making policy changes at DHS. Some GOP lawmakers want him to do more," *CNN*, April 2, 2026, <https://www.cnn.com/2026/04/02/politics/markwayne-mullin-dhs-contracts-warehouses>.

value of the property, and will require substantial additional federal investment to bring online.³ To date, the Department has provided little information on how the property was identified, valued, or procured. Reporting suggests other acquisitions may have similarly exceeded market value, highlighting the need for thorough oversight. Given the circumstances surrounding these projects, we are concerned about the potential for waste, fraud, and abuse and whether taxpayers are receiving fair value.⁴

At the same time, publicly available information about these projects remains inconsistent and incomplete. For example, ICE's solicitation for the facility in Marana describes a detention center with a capacity of approximately 775 detainees, while the accompanying procurement documents describe the facility as having a capacity of 513 detainees of all security levels.⁵ These figures exceed the facility's prior capacity as a lower-security prison when it housed on average 225 individuals.⁶ This lack of transparency, coupled with conflicting information across projects, raises serious questions about whether the Department has adequately assessed and reviewed these planned facilities and sufficiently defined or fully evaluated their scope and requirements.

In addition to cost and transparency issues, we are concerned that the Department is unprepared to adhere to detention, safety, and medical care standards in these new facilities. While the Department is rapidly expanding available detention space, it has failed to provide even basic safety and adequate medical care for individuals at existing facilities. As a result, detained individuals are facing serious and, in too many cases, deadly consequences. Sixteen people have died in ICE custody in just the first few months of 2026,⁷ and nearly fifty have died since

³ Elena Santa Cruz and Richard Ruelas, "ICE confirms it will add 1,500-bed detention facility in Surprise," *Arizona Republic*, January 30, 2026, <https://www.azcentral.com/story/news/local/surprise/2026/01/30/ice-surprise-detention-facility-confirmed/88431249007/>; Candace Carlisle, "Sellers cash in on ICE's revamp of national detention center network," *CoStar*, March 1, 2026, <https://www.costar.com/article/1306766767/sellers-cash-in-on-ices-revamp-of-national-detention-center-network>.

⁴ Christopher Cann, "ICE is paying 'eye-popping' prices for warehouse detention centers," *USA Today*, March 6, 2026, <https://www.usatoday.com/story/news/nation/2026/03/06/ice-warehouse-immigration-detention-expansion/88861213007/>.

⁵ David Ulloa Jr, "ICE facility likely coming to Marana despite protests. What to know," *Arizona Republic*, March 11, 2026, <https://www.azcentral.com/story/news/politics/immigration/2026/03/11/will-marana-prison-become-an-ice-detention-facility/89075014007/>; "DHS/ICE intends to procure comprehensive detention services (housing, guards, meals, medical care, transportation) on a sole source basis," SAM.gov (Feb. 25, 2026), <https://sam.gov/workspace/contract/opp/cd4930d0f61a42fc86acebea30173d1b/view>.

⁶ Paul Ingram, "ICE plans to reopen Marana private prison as 513-bed immigration detention center," *Arizona Mirror*, February 27, 2026, <https://azmirror.com/2026/02/27/ice-plans-to-reopen-marana-private-prison-as-513-bed-immigration-detention-center/>.

⁷ Ted Hesson, "Sixteen people have died in US immigration custody this year, ICE says," *Thomson Reuters*, March 9, 2026, <https://www.reuters.com/world/eleven-people-died-us-immigration-custody-this-year-ice-says-2026-04-07/>

January 2025,⁸ making 2025 the agency’s deadliest year in more than two decades.⁹ Additionally, the Department did not address how these facilities would impact surrounding communities and the families that live there, including students attending Dysart High School and Dysart Middle School located near the proposed detention site in Surprise, Arizona.¹⁰ The Department has also failed to prevent serious threats to public health. In Arizona, there have been multiple measles outbreaks within ICE detention facilities since January of this year.¹¹ Nothing that we have seen gives us any confidence that the Department can safely and effectively manage expanded operations.

Projects of this scale require early coordination with local governments, transparent planning, clear and accurate information, and adherence to established federal standards and review processes. Moving forward without these fundamentals undermines trust and limits the ability of communities and Congress to fully assess the impact of these decisions being forced on their neighborhoods. During your confirmation hearing, you discussed the importance of local community input and committed to engaging transparently and regularly with localities in which the Department has plans for new detention facilities. Consistent with this commitment, we urge the Department to halt detention expansion efforts in Arizona until it has fully undertaken a robust engagement process, and we request a prompt briefing on the Department’s plans, authorities, funding, procurement decisions, and operational approach moving forward.

We request your prompt response to this request no later than May 1, 2026.

Sincerely,



Mark Kelly
United States Senator



Ruben Gallego
United States Senator

⁸ U.S. Immigration and Customs Enforcement, *Detainee Death Reporting*, <https://www.ice.gov/detain/detainee-death-reporting>.

⁹ Maanvi Singh, Coral Murphy Marcos and Charlotte Simmonds, “2025 was ICE’s deadliest year in two decades: Here are the 32 people who died in custody,” *The Guardian*, Jan. 4, 2026, <https://www.theguardian.com/us-news/ng-interactive/2026/jan/04/ice-2025-deaths-timeline>.

¹⁰ Austin Walker, “Student leader raises concerns over planned ICE facility near Dysart schools,” *Arizona’s Family*, Mar. 7, 2026, <https://www.azfamily.com/2026/03/08/student-leader-raises-concerns-over-planned-ice-facility-near-dysart-schools/>.

¹¹ Jacqueline Howard, “Case of measles confirmed in Arizona ICE facility,” *CNN*, Jan. 28, 2026, <https://www.cnn.com/2026/01/28/health/ice-facility-measles-arizona>.