United States Senate

WASHINGTON, DC 20510

November 22, 2026

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

Dear Inspector General Cuffari:

We write with serious concern regarding reports that the U.S. Immigration and Customs Enforcement (ICE) removed detainees with final deportation orders from its Online Detainee Locator System (ODLS), leaving families and attorneys unable to find or reach their loved ones and clients in custody.[1] 36 members of Congress wrote to you on April 6, 2026, asking that you conduct a review of ICE's failure to maintain reliable and timely updates of the ODLS;[2] you responded that you would consider the request but did not indicate that you would take up such an investigation imminently.[3] In the wake of this new and troubling report about the Trump Administration's mistreatment of immigrants and misuse of the ODLS, we ask with renewed urgency that you open an investigation of this matter.

ICE created the ODLS for families, attorneys, and members of the public to track and locate individuals who are detained by ICE or the U.S. Customs and Border Protection (CBP).[4] The ODLS is critical in allowing detainees access to legal representation and their loved ones, but it has become increasingly unreliable, according to reports of severe delays, inaccuracies, and missing records.[5] These reports indicated that, even prior to the recent change, ICE has not been

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[1] Associated Press, "AP Exclusive: ICE hides locations of thousands of detainees with final removal orders," Ryan J. Foley, September 21, 2026, https://apnews.com/article/ice-detainee-locator-disappear-removal-orders-c3329a70bce424879bc5880b286c019c; The Washington Post, "Immigrants with final deportation orders disappear from ICE detainee locator," Maria Sacchetti and Liam Bowman, September 21, 2026, https://www.washingtonpost.com/immigration/2026/09/21/immigrants-with-final-deportation-orders-disappear-ice-detainee-locator/; WBUR, "Lawsuit seeks to block ICE from hiding locations of detainees with final removal orders," Ryan J. Foley, October 29, 2026, https://www.wbur.org/news/2026/10/29/boston-lawsuit-ice-online-detainee-locator-system-hidden-detainees; The New York Times, "A Beloved Nurse Was Arrested, Shackled and Hidden in ICE's System," Miriam Jordan, November 10, 2026, https://www.nytimes.com/2026/11/10/us/ice-detainees-hidden-location-deportation.html.

[2] Letter from U.S. Senators Elizabeth Warren and Ben Ray Luján and U.S. Representatives Veronica Escobar and Lauren Underwood, et al. to DHS Inspector General Joseph V. Cuffari, April 6, 2026, https://www.warren.senate.gov/wp-content/uploads/media/doc/letter_from_senators_warren_lujn_reps_escobar_underwood_to_the_department_of_homeland_security_on_ice_online_detainee_locator_system.pdf.

[3] Letter from DHS Inspector General Joseph V. Cuffari to U.S. Senator Elizabeth Warren, et al., August 31, 2026, [On file with the Office of U.S. Senator Elizabeth Warren].

[4] U.S. Department of Homeland Security, "Privacy Impact Assessment for the Online Detainee Locator System," July 16, 2025, p. 1, https://www.dhs.gov/sites/default/files/2025-07/25_0716_priv_pia-ice-019-odls.pdf.

[5] American Immigration Council, "New Report Details ICE's Expanding and Increasingly Unaccountable Detention System," Aaron Reichlin-Melnick, January 23, 2026, https://www.americanimmigrationcouncil.org/blog/ice-

meeting its stated policy of updating its database "within eight hours of the release, removal, or transfer of detainees."[6]

On April 6, 2026, 36 members of Congress wrote to you to ask that you conduct an evaluation of this matter.[7] You responded on August 31, 2026, indicating that this request "raise[d] important questions about due process, accountability, and the well-being of detainees and families affected by these actions."[8] But you indicated that you had no ongoing work focused on the ODLS and did not intend to begin the evaluation requested.[9] Instead, you wrote that "we will inform you should we announce an evaluation or audit on this topic."[10] We are not aware of any new work to date.

In the meantime, new reports from Associated Press (AP) and *The Washington Post* raise fresh and even more alarming concerns about the ODLS, adding to this troubling pattern of ICE mishandling records of people in immigration custody. The AP reported that ICE "has stopped publicly revealing where it is holding thousands of detainees who are subject to final deportation orders" as of September 15, 2026, and "the agency did not confirm or deny it."[11] According to *The Washington Post*, ICE also "bars immigration officers from sharing information about a detainee's location with their attorneys or relatives by phone,"[12] a departure from ICE's own guideline for members of the public to contact their Enforcement and Removal Operations (ERO) field offices when a detainee is not found in the ODLS.[13]

These reports suggest that the problem is not just one of delays or glitches but instead, the Department of Homeland Security (DHS) appears to have made an intentional policy change—

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expanding-detention-system/; 9 News, "ICE detainees vanish from tracking system, leaving families in desperation," Angeline McCall, February 25, 2026, https://www.9news.com/article/news/local/ice-detainees-vanish-fromtracking-system-colorado/73-840a7e57-c409-46d5-8297-1bfe8659179c; Associated Press News, "Immigrants disappear from US detainee tracking system after deportation flights," Joshua Goodman and Gisela Salomon, March 19, 2025, https://apnews.com/article/trump-deportations-gangvenezuela-0cf2c3a26d7f4bafa87ad6ca5a640313.

[6] U.S. Immigration and Customs Enforcement, "About the Detainee Locator / FAQs" https://locator.ice.gov/odls/#/about.

[7] Letter from U.S. Senators Elizabeth Warren and Ben Ray Luján and U.S. Representatives Veronica Escobar and Lauren Underwood, et al. to DHS Inspector General Joseph V. Cuffari, April 6, 2026, https://www.warren.senate.gov/wp-content/uploads/media/doc/letter_from_senators_warren_lujn_reps_escobar_underwood_to_the_department_of_homeland_security_on_ice_online_detainee_locator_system.pdf.

[8] Letter from DHS Inspector General Joseph V. Cuffari to U.S. Senator Elizabeth Warren, et al., August 31, 2026, p. 1, [On file with the Office of U.S. Senator Elizabeth Warren].

[9] *Id.*

[10] *Id.*

[11] Associated Press, "AP Exclusive: ICE hides locations of thousands of detainees with final removal orders," Ryan J. Foley, September 21, 2026, https://apnews.com/article/ice-detainee-locator-disappear-removal-orders-c3329a70bce424879bc5880b286c019c.

[12] The Washington Post, "Immigrants with final deportation orders disappear from ICE detainee locator," Maria Sacchetti and Liam Bowman, September 21, 2026, https://www.washingtonpost.com/immigration/2026/09/21/immigrants-with-final-deportation-orders-disappear-ice-detainee-locator/.

[13] U.S. Immigration and Customs Enforcement, "Locating Individuals in Detention," August 8, 2023, https://www.ice.gov/factsheets/locating-individuals-in-detention.

without any warning to the public—to exclude people with final removal orders from the ODLS. Such a change effectively deprives these individuals of access to counsel, the opportunity to challenge their removals, and thus any sort of relief. Without knowing their client's detention location, attorneys cannot file time-sensitive habeas petitions in the proper venue and cannot intervene to challenge third-country removals.[14] Families and attorneys are now left scrambling to find out where the affected detainees have been taken.[15] This policy change therefore raises deep concerns regarding violations of immigration, legal, and civil rights by the U.S. government.[16]

This is happening as ICE arrests are at a record high – with the agency claiming over 50,000 arrests in August 2026 alone[17] and more than 491,000 arrests in Fiscal Year 2026.[18] As of July 2026, ICE held over 65,000 individuals in hundreds of detention facilities,[19] and an estimated 30 percent of those individuals faced final deportation orders.[20] Former ICE director Todd Lyons estimated that about 1.6 million people living in the United States have final orders.[21] If any of

[14] Letter from Abolitionist Law Center, Human Rights Program, Acacia Center for Justice, ACLU of Louisiana, et al., to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) Chair-Rapporteur Dr. Grażyna Baranowska and Vice Chairperson Ms. Ana Lorena Delgadillo Pérez, September 30, 2026, pp. 3-4, https://kennedyhumanrights.org/wp-content/uploads/2026/09/WGEID-ODLS-Final-Submission.pdf; The New York Times, "A Beloved Nurse Was Arrested, Shackled and Hidden in ICE's System," Miriam Jordan, November 10, 2026, https://www.nytimes.com/2026/11/10/us/ice-detainees-hidden-location-deportation.html.

[15] The New York Times, "A Beloved Nurse Was Arrested, Shackled and Hidden in ICE's System," Miriam Jordan, November 10, 2026, https://www.nytimes.com/2026/11/10/us/ice-detainees-hidden-location-deportation.html; WBUR, "Lawsuit seeks to block ICE from hiding locations of detainees with final removal orders," Ryan J. Foley, October 29, 2026, https://www.wbur.org/news/2026/10/29/boston-lawsuit-ice-online-detainee-locator-system-hidden-detainees.

[16] Letter from Abolitionist Law Center, Human Rights Program; Acacia Center for Justice; ACLU of Louisiana, et al. immigration rights organizations to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) Chair-Rapporteur Dr. Grażyna Baranowska and Vice Chairperson Ms. Ana Lorena Delgadillo Pérez, September 30, 2026, https://kennedyhumanrights.org/wp-content/uploads/2026/09/WGEID-ODLS-Final-Submission.pdf.

[17] U.S. Department of Homeland Security, "ICE's August Arrests Break Record for Number of Illegal Aliens Arrested," September 2, 2026, https://www.dhs.gov/news/2026/09/02/ices-august-arrests-break-record-number-illegal-aliens-arrested.

[18] U.S. Immigration and Customs Enforcement, "ICE breaks records in fiscal year 2026, with most arrests and deportations in Agency's history", November 12, 2026, https://www.ice.gov/news/releases/ice-breaks-records-fiscal-year-2026-most-arrests-and-deportations-agencys-history.

[19] TRAC Immigration, "Immigration Detention Quick Facts," July 11, 2026, https://tracreports.org/immigration/quickfacts/; American Immigration Council, "Immigration Detention Expansion in Trump's Second Term," January 2026, p. 24, https://www.americanimmigrationcouncil.org/wp-content/uploads/2026/01/immigration-detention-report.pdf; Freedom for Immigrants, "Detention Mapping Project," https://www.freedomforimmigrants.org/map; U.S. Immigration and Customs Enforcement, "Detention Statistics," https://www.ice.gov/detain/detention-management#stats; U.S. Immigration and Customs Enforcement, "Detention Facilities," https://www.ice.gov/detention-facilities.

[20] Associated Press, "AP Exclusive: ICE Hides Location of Thousands of Detainees with Removal Orders," Ryan J. Foley, September 21,2026, https://apnews.com/article/ice-detainee-locator-disappear-removal-orders-c3329a70bce424879bc5880b286c019c.

[21] Newsweek, "ICE Reveals Details of 1.6 Million People With Deportation Orders," Billal Rahman, February 13, 2026, https://www.newsweek.com/ice-reveals-details-1-6-million-people-deportation-orders-11518830.

these individuals are arrested and detained by ICE, these new reports indicate that they will not show up on the ODLS,[22] effectively depriving them of their rights to counsel and due process.[23]

Removing individuals' records from the ODLS while they remain in detention can also increase the risk of serious physical harm. For example, in one reported case, a woman with epilepsy and a history of seizures was transferred across the country without notifying her family and legal counsel.[24] She became seriously ill and required oxygen during transit, but her treatment was delayed because ICE failed to inform the receiving facility about her medical conditions despite its stated transfer policy.[25] Amid growing reports of medical neglect in detention,[26] ICE's failure to notify facilities and attorneys can be deadly. As detainees' locations disappear from the ODLS, many more lives could suffer in silence because help cannot reach them.

Erasing detained individuals from a public searchable system eliminates transparency. It can put lives at risk while making it easier for ICE to conceal any harm against people in immigration detention. At a time when deaths in ICE custody are at a 20-year record high,[27] ICE has provided no explanation or rationale for its misuse of the ODLS and has not indicated that it will take action to rectify these abuses,[28] despite DHS's purported commitment to "[uphold] privacy, transparency, civil rights, and civil liberties"[29] for people in federal custody.

Given the troubling new developments regarding ICE's disappearance of records from the ODLS, we reiterate the request that you open an investigation into this matter. A DHS Office of Inspector General (OIG) investigation is especially needed following the Administration's dismantling of most of the DHS Office for Civil Rights and Civil Liberties (CRCL) and the Office of the Immigration Detention Ombudsman (OIDO).[30] Without these entities at full

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[22] American Immigration Council, "ICE Begins Electronically 'Disappearing' People in Custody: What You Need to Know," Aaron Reichlin-Melnick, September 23, 2026, https://www.americanimmigrationcouncil.org/blog/ice-electronically-disappears-detainee-locator/.

[23] Letter from Abolitionist Law Center, Human Rights Program, Acacia Center for Justice, ACLU of Louisiana, et al., to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) Chair-Rapporteur Dr. Grażyna Baranowska and Vice Chairperson Ms. Ana Lorena Delgadillo Pérez, September 30, 2026, pp. 5-6, https://kennedyhumanrights.org/wp-content/uploads/2026/09/WGEID-ODLS-Final-Submission.pdf.

[24] Letter from Abolitionist Law Center, Human Rights Program, Acacia Center for Justice, ACLU of Louisiana, et al., to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) Chair-Rapporteur Dr. Grażyna Baranowska and Vice Chairperson Ms. Ana Lorena Delgadillo Pérez, September 30, 2026, p. 7, https://kennedyhumanrights.org/wp-content/uploads/2026/09/WGEID-ODLS-Final-Submission.pdf.

[25] *Id.*; U.S. Immigration and Customs Enforcement, "Policy 11022.1: Detainee Transfers," January 4, 2012, p. 6, https://www.ice.gov/doclib/detention-reform/pdf/hd-detainee-transfers.pdf.

[26] Associated Press and KFF Health News, "From festering infections to untreated cancer, ICE detainees across the US describe medical neglect," Rae Ellen Bichell, Claire Galofaro, Maia Rosenfeld, et al., June 2, 2026, https://apnews.com/article/ice-immigration-detention-medical-neglect-dhs-32c3fbeef0c44dfb02fcab890b2c9a96.

[27] National Immigration Project, "Mourning Those Who Have Died in ICE Custody" October 26, 2026, https://nipnlg.org/news/mourning-those-who-have-died-ice-custody; Journal of the American Medical Association, "Mortality in US Immigration and Customs Enforcement Detention," Sanjay Basu, Benjamin Q. Huynh, Mathew V. Kiang, et al., April 16, 2026, https://jamanetwork.com/journals/jama/fullarticle/2847650.

[28] Associated Press, "AP Exclusive: ICE hides locations of thousands of detainees with final removal orders," Ryan J. Foley, September 21, 2026, https://apnews.com/article/ice-detainee-locator-disappear-removal-orders-c3329a70bce424879bc5880b286c019c.

[29] U.S. Department of Homeland Security, "Guiding Principles," https://www.dhs.gov/guiding-principles.

investigative capacity, DHS OIG is the only authority properly equipped to conduct an investigation of this type.

Your investigation would help inform legislative efforts to pursue immigration reform and would be consistent with your mission to "provide independent oversight and promote excellence, integrity, and accountability within DHS."[31] To inform future legislation and address the due process problems raised by ICE's administration of the ODLS, we request that your review includes answers to the following questions:

1. Has there been a policy change at ICE regarding removal of detained individuals with final removal orders or final deportation orders from the ODLS? If so, when was this change made, and what directive, guidance, memorandum, or other instructions were ordered as part of this change?

2. How many individuals have been removed from the ODLS since September 15, 2026, while still in immigration custody by ICE or CBP?
    a. Specify which categories of detainees were removed from the ODLS (e.g., individuals with final removal orders; final removal orders pending appeal; final removal orders but granted withholding of removal or protection under the Convention Against Torture; others).

3. Among the individuals who have been removed from the ODLS,
    a. How many inquiries have ICE or CBP received from families and attorneys asking for the detainees' locations? How long did it take ICE to respond to each inquiry?
    b. How many inquiries have DHS OIG received from families and attorneys asking for the detainees' locations?
    c. How many detainees have been transferred, released, or deported to another country since their records were removed from the ODLS?
    d. How many detainees needed medical attention while in ICE custody or transfers between detention facilities?

4. Has DHS OIG received any whistleblower or anonymous complaints about the change in the ODLS?

5. Because ICE has not updated its detention data since July 2026,[32] please provide the following information:
    a. How many individuals are currently in ICE custody? How many individuals are currently in CBP custody?

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[30] The Guardian, "Court records reveal gutting of DHS oversight: 'Incredibly dangerous'," March 8, 2026, https://www.theguardian.com/us-news/2026/mar/08/dhs-oversight-court-record-review; Defendants' Memorandum in Support of Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment, *Robert F. Kennedy Human Rights v. U.S. Department of Homeland Security*, No. 1:25-cv-01270-ACR (D.D.C.), ECF No. 69-1, p. 1, https://www.citizen.org/wp-content/uploads/64-1-MSJ-memorandum-2.pdf.

[31] Office of Inspector General, U.S. Department of Homeland Security, "About Us," https://www.oig.dhs.gov/about.

[32] U.S. Immigration and Customs Enforcement, "Detention Statistics," https://www.ice.gov/detain/detention-management#stats.

b. How many current detainees are subject to final removal orders?

6. Is ICE withholding information on detainees' location from their family members and lawyers who are calling or emailing to request this information when a detainee does not appear on the ODLS?
    a. Have personnel working at ICE or CBP detention facilities been instructed not to provide location information of detainees with final removal orders or final deportation orders?

7. What procedures has ICE put in place to ensure that attorneys and family members can promptly determine the location of their clients and loved ones if they do not appear in the ODLS?
    a. Can a detainee's location be determined by calling ICE's Detention, Removal, and Information Line (DRIL)?[33]
    b. Can an attorney locate a detainee by calling ICE's Detention, Removal, and Information Line (DRIL) with or without a notice of entry of appearance on file?

8. Who is the government contractor or vendor responsible for providing technical and professional support for maintenance of the ODLS?

In addition, we ask that you review the following questions from the previous letter dated April 6, 2026:

9. Has the ODLS system suffered a reduction in timeliness and reliability since January 2025?
    a. If so, what are the primary reasons for these problems?
    b. To the extent that there has been a reduction in timeliness and reliability, how has this affected detainees' legal rights, including access to counsel and ability to file legal documents?
    c. How quickly was the ODLS updated before January 2025 and how quickly has it been updated since January 2025? Have there been any changes since September 15, 2026?

10. What types of location information do ICE or CBP maintain that the agencies do not add to the ODLS?
    a. What types of facilities are excluded from showing up in ODLS results, and why?
    b. Over the past year, what was the median hold time for each type of facility excluded from the ODLS?

11. What offices within ICE and CBP are charged with maintaining ODLS updates?
    a. How many full-time equivalent employees work on ODLS updates?

[33] U.S. Immigration and Customs Enforcement, "Contact ICE About Immigration Enforcement Concerns," July 1, 2026, https://www.ice.gov/enforcementconcerns.

12. What is the median response time to phone calls for each ICE ERO field office that detains individuals overnight?

13. What guidance or practices does ICE have for updating location information for individuals in ICE custody who are not at detention centers, including those at ERO field offices and hospitals?

14. What guidance or practices do ICE and CBP follow for updating location information for individuals in their custody who are being transferred between facilities?

    a. Specifically, has ICE or CBP provided guidance to its agents about not updating the ODLS until a person has arrived at their "final destination"? Please share a copy of any such guidance.

15. Does the ODLS show the location of individuals detained by or on behalf of ICE at:

    a. Overseas military bases, including Guantanamo Bay;
    b. Domestic military bases;
    c. State-run immigration detention facilities;
    d. ICE field offices.

Thank you for your attention to this important matter.

Sincerely,

Elizabeth Warren
United States Senator

Chris Van Hollen
United States Senator

Ben Ray Luján
United States Senator

Richard Blumenthal
United States Senator

Adam B. Schiff
United States Senator

Alex Padilla
United States Senator



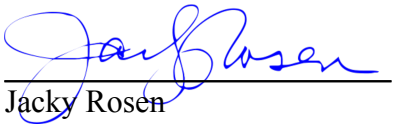
Richard J. Durbin
United States Senator



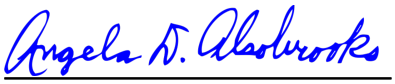
Tammy Duckworth
United States Senator



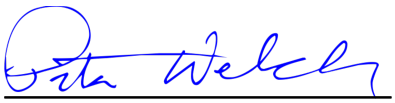
Tina Smith
United States Senator



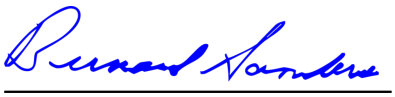
Jacky Rosen
United States Senator



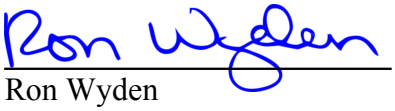
Angela D. Alsobrooks
United States Senator



Peter Welch
United States Senator



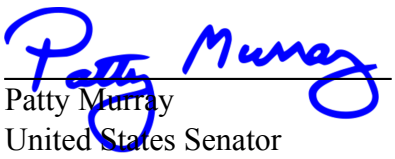
Bernard Sanders
United States Senator



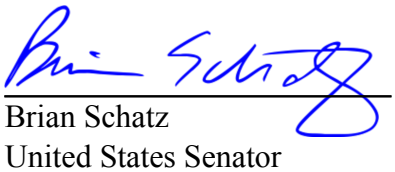
Ron Wyden
United States Senator



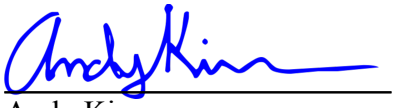
Catherine Cortez Masto
United States Senator



Patty Murray
United States Senator



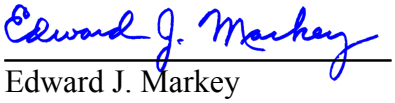
Brian Schatz
United States Senator



Andy Kim
United States Senator



Angus S. King, Jr.
United States Senator



Edward J. Markey
United States Senator



Cory A. Booker
United States Senator