

Congress of the United States  
House of Representatives  
Washington, DC 20515-3812

April 8, 2020

The Honorable Nancy Pelosi  
Speaker, U.S. House of Representatives  
H-232, The Capitol  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Republican Leader  
H-204, The Capitol  
Washington, D.C. 20515

Dear Speaker Pelosi and Leader McCarthy:

I write today to urge swift passage of the *Pausing All New Detention and Ending the Movement of Inmates for Coronavirus (PANDEMIC) Act of 2020*, either as stand-alone legislation or as part of any additional COVID-19-related legislative package.

*The PANDEMIC Act of 2020* was introduced earlier this month with bipartisan support and continues to gain cosponsors.<sup>[1]</sup>

The legislation would halt all Bureau of Prisons (BOP) inmate movement during the COVID-19 national emergency. This issue affects not only the areas I represent in central and northeast Pennsylvania, but communities across the country concerned about community spread of COVID-19.

Currently, the BOP has a large outbreak of COVID-19 cases within its system. As of April 8, 2020, 314 inmates and staff at BOP facilities have tested positive for COVID-19<sup>[2]</sup> – more than the states of Alaska, Wyoming, and North Dakota.<sup>[3]</sup>

Despite this, and while much of the country remains under stay-at-home or shelter-in-place orders, the BOP continues to move inmates across the country. Even in its latest Phase 5 COVID-19 Action Plan, the BOP says inmate movement will continue.<sup>[4]</sup>

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[1] Congress.gov, <https://www.congress.gov/bill/116th-congress/house-bill/6427>, last visited April 8, 2020

[2] Federal Bureau of Prisons Website, <https://www.bop.gov/coronavirus/>, last visited April 8, 2020

[3] The New York Times, Coronavirus in the U.S.: Latest Map and Case Count, <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>, last visited April 8, 2020

[4] Federal Bureau of Prisons Modified Operations Plan, [https://www.bop.gov/coronavirus/covid19\\_status.jsp](https://www.bop.gov/coronavirus/covid19_status.jsp), last visited April 8, 2020

While the BOP maintains that it adequately screens inmates prior to movement, two weeks ago, an inmate arrived at FCC Allenwood in Pennsylvania's 12<sup>th</sup> Congressional District from Oklahoma City with symptoms so severe that he was immediately taken to a local hospital and tested for COVID-19.<sup>[5]</sup>

Not only is this a prison issue, but the movement of inmates is a community issue. Of the 314 cases within the BOP system, 73 cases are staff members.<sup>[6]</sup> That means BOP staff are being exposed to COVID-19 at work and then bringing the virus into the local community when they return home. Coupled with the fact that some COVID-19 cases are asymptomatic, moving inmates can threaten to expose corrections officers and staff members and turn them into unknowing carriers of this dangerous virus into their homes and communities.

Many local hospitals in Pennsylvania's 12<sup>th</sup> Congressional District have voiced concern about an outbreak in or around the prison as a result of continued inmate movement.<sup>[7]</sup> These local, rural hospitals would be the facilities providing outside health services to federal prisons in the event of an outbreak. They simply do not have the resources or capacity to deal with a large prison outbreak while also dealing with community spread locally.

In discussions with BOP officials, including BOP Director Michael Carvajal, I have been told that legislation is needed to stop inmate movement for the duration of the COVID-19 national emergency. That is why I have introduced *the PANDEMIC Act of 2020*.

With this in mind, and considering the widespread issue of COVID-19 in the federal prison system, it is my hope that Congress will take up *the PANDEMIC Act of 2020* on its own or as part of any additional COVID-19 response legislation. Thank you for your attention to this matter. Please do not hesitate to contact my office at (570) 322-3961 with any questions or concerns.

Sincerely,



Fred Keller  
Member of Congress

CC: The Honorable Jerry Nadler, Chairman, House Committee on Judiciary  
The Honorable Jim Jordan, Ranking Member, House Committee on Judiciary

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<sup>[5]</sup> Sunbury Daily Item, *Oklahoma City inmate transferred to Valley tested for COVID-19*, by Marcia Moore, March 25, 2020, [https://www.dailyitem.com/news/oklahoma-city-inmate-transferred-to-valley-tested-for-covid/article\\_95590820-6e20-11ea-a9b3-a709098e6fb0.html](https://www.dailyitem.com/news/oklahoma-city-inmate-transferred-to-valley-tested-for-covid/article_95590820-6e20-11ea-a9b3-a709098e6fb0.html), last visited April 7, 2020

<sup>[6]</sup> See Footnote 2

<sup>[7]</sup> PennLive/Patriot-News, *Pa. groups might sue if Bureau of Prisons isn't more transparent about prisoner transfers*, by John Beague, March 27, 2020, <https://www.pennlive.com/coronavirus/2020/03/pa-groups-might-sue-if-bureau-of-prisons-isnt-more-transparent-about-prisoner-transfers.html>, last visited April 7, 2020