

TOXIC DETENTION: THE TREND OF CONTAMINATION IN THE AMERICAN IMMIGRATION SYSTEM

**A GLOBAL ENVIRONMENTAL JUSTICE PROJECT
SPECIAL REPORT**

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INTRODUCTION

The prison environmental justice project is committed to researching environmental justice issues within America's immigration system. In this report we focus on the trend of detaining immigrants in toxic spaces. The choice to house immigrants in these undesirable conditions has been the status quo in U.S. immigration policy for decades, and seems to only continue to grow in scale as current immigration policies overcrowd an already stressed system (Global Detention Project 2018).

This report details the contamination specifics of immigration detention sites that are currently or will likely be used under the Trump administration, and a majority of these sites are or were former military bases. It is important to keep this in mind, as all of the potential health effects imparted on immigrants in these spaces are also being inflicted on our servicemen and women- and is indicative of a larger problem. The environmental laws that are in place to protect human and environmental health are failing to provide the protections their mandates define, and we recommend immediate congressional action to amend these laws to better suit 21st century risks.

71%

Of Immigrants in detention in 2017 were held in private, for-profit prisons. (NIJC 2018)



NORTHWEST DETENTION CENTER

CONFIRMED CONTAMINATED LOCATIONS DETAINING IMMIGRANTS

As of January 2019

FCC VICTORVILLE

KARNES COUNTY RESIDENTIAL CENTER

NORTHWEST DETENTION CENTER

TORNILLO TENT CAMP*

HOMESTEAD TENT CAMP

FEDERAL CORRECTIONAL COMPLEX: VICTORVILLE



Federal Correctional Complex, Victorville CA

FCC Victorville is a federal prison located on what used to be the George Air Force Base in San Bernardino County, California. The base spanned over 5,000 acres, all of which is now designated as a Superfund site, EPA ID CA2570024453, and is on the National Priorities List or NPL (EPA 2018). In the summer of 2018, 1000 beds at this location were allocated to be filled with immigrant detainees held by ICE, in addition to federal inmates (Kopetman 2018). Since being built in 2004, this FCC has exposed inmates, and now immigration detainees, to environmental contaminants through contaminated water supplies, with no governmental or agency action to mitigate health effects. The Lahontan Regional Water Board released a draft reviewing the CERCLA mandated five-year review of the Former George AFB in September 2016, and explicitly stated:

“Groundwater contamination extends over 700 acres, impacts two aquifers, and threatens the Mojave River, the Floodplain Aquifer, and water supply wells. Currently, there is no active remediation, inadequate monitoring, and no mechanism to prevent anticipated migration to human and ecological receptors.” (Gronstal 2016)

The contamination consists of 23 EPA listed contaminants of concern in solid waste and debris form, and in soil and groundwater stores on site (EPA 2018). These toxins include asbestos, benzene, lead, mercury, pesticides, volatile organic compounds, and military chemicals. One of these chemicals is trichloroethylene, found in groundwater on site, which can enter the body through skin contact or ingestion of contaminated water (ATSDR 2014). This chemical is used to degrease metal parts such as planes and munitions for military operations, and can leach into soil and water stores when entered into the environment. Exposure to Trichloroethylene can cause headaches, dizziness, nerve; heart; liver; and kidney damage, scleroderma, coma, cancer, and death (ATSDR 2014).

While the EPA listed contaminants at FCC Victorville pose serious health risks, there are other chemicals on site that are not listed or regulated by the EPA that can cause serious health effects. This is due to the Safe Water Drinking Act amending its list of regulated contaminants only once since its enactment in 1974, leaving many contemporary pollutants unregulated in the original language of the law (SDWA 1996). The EPA releases health advisories on these contaminants, for example a class of chemicals called the perfluoroalkyl acids, but these advisories are not enforceable legally. The Department of Defense released a report in March of 2018, listing the 126

military areas contaminated with the emerging pollutants perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOAs). These perfluoroalkyl acids are found well over the EPA safety threshold of 70 ppt at the former George AFB, with some taps supplying FCC in Victorville testing for over 5,000 ppt (DOD 2018).

These chemicals are fully fluorinated hydrocarbons used in cooking supplies, furniture, and military testing as flame retardants (Steenland 2010). These compounds are stable at extremely high temperatures (in excess of 150 °C), nonflammable, not readily degraded by strong acids, alkalis or oxidizing agents, and are not subject to photolysis. These properties make them practically nonbiodegradable and thus, very persistent in the environment (Post 2012). These emerging pollutants have not been thoroughly studied for human health effects despite detectable ppb results in humans, fish, and mammals worldwide (Lau 2004). Of the research that has been done, high levels of PFAs exposure resulted in liver and thyroid disorders, cancer, a multitude of developmental effects, and death (Lau 2004). Bioaccumulation rates across species were variable; the Minnesota Department of Health found that, when compared to primate trials, humans exhibit accumulation of these compounds an order of magnitude above primates, with extremely long half-life elimination; specifically:

“The results of these studies suggest that it may take more than five years for even one-half of a single exposure to leave the human body.” - (MDH 2008)

The long half-life elimination cycle in the human body of these chemicals suggests that any exposure/ingestion of these molecules can produce health effects lasting years, with high levels of exposure lasting decades. The health effects of such exposures will impact vulnerable groups—such as pregnant women, developing fetuses, and children—to an even higher degree (MDH 2008).

The toxins at FCC Victorville/Former George AFB have been affecting the health of those working in the area for decades. Former military personnel from the George AFB have created an activist group to inform the public of the contamination and subsequent health effects they incurred by being stationed at George and others like it, called [George AFB Info](#), and by their accounts, hundreds of veterans now likely suffer from their time on this base (GAFBI 2018). Submissions to their health registry include accounts of radiation poisoning, pulmonary fibrosis, scleroderma, cancer, renal failure, and severe birth defects after being stationed or living on the base.

We call for immediate informing of all detainees about possible health-threatening exposures to contaminants, and for free n95 ventilation masks and water alternatives

to be provided to all immigrants housed at FCC Victorville. Holding inmates and immigrants in this toxic facility is a direct violation of their human rights. There have already been decades of poisoning people at this site, from military personnel to inmates—this location must be closed and relocated to prevent future inevitable harm.

KARNES COUNTY RESIDENTIAL CENTER



Karnes County Residential Center, TX

The GEO group runs an ICE family detention center in rural Karnes County Texas, which produces more oil than any other county in the United States (Earthworks 2018). This is one of three family detention centers currently used by ICE, yet this location is plagued with contaminated air and water. The reason for this contamination is the large fracking and oil extraction projects in the area- the county is home to over 2,300 active wells, and the detention center itself is within 100 feet of multiple pumps and fracking flares (RRC 2018).

Earthworks released a report in 2017 detailing the results of their own testing around extraction facilities in the area, and found an excess of benzene, hydrogen sulfide, cyclohexane, naphthalene, n-hexane, and xylenes in the air (Earthworks 2017). Another study in *Science of the Total Environment* found groundwater in the region to have elevated levels of VOCs and abnormal chloride to bromide ratios, which are an indicator of contamination by other substances (Hildenbrand et al. 2016). In 2016, the Environmental Integrity Project found areas in Karnes County that exceed the USEPA safety level of 10 ppb of arsenic as well (EIP 2016). This area is likely exposed to a variety of other contaminants, as it is known that the chemicals that are released into the environment by these two resource extraction processes include: heavy metals (arsenic and manganese), particulate matter (PM), benzene, toluene, ethylbenzene, xylenes (BTEX), polycyclic aromatic hydrocarbons (PAHs) and endocrine disrupting chemicals (EDCs) (Webb et al. 2018). These chemicals are known to cause respiratory illness, neurological problems, developmental damage, cancer, and death (CDC 2018, ATSDR 2014, O'Callaghan-Gordo et al. 2016). Citizens of the township surrounding the facility complain of wheezing, dizziness, headaches, nosebleeds and heart palpitations (Earthworks 2017)- it is highly likely that the children and pregnant women held at Karnes are suffering from greater effects than those on the outside given their vulnerable immunity and close proximity to these emissions. Research published in *Reviews on Environmental Health* found that oil and fracking pollutants have increased incidence of effects on vulnerable populations:

"There is ample evidence that these environmental toxicants can cause neurodevelopmental problems. Given the profound sensitivity of the developing brain and central nervous system, it is reasonable to conclude that young children who experience frequent exposure to these pollutants are at particularly high risk for chronic neurological diseases."

(Webb et al. 2018)

Additionally, any babies born at this facility are at great risk for developmental and generational effects. A study in the *Journal of Reproductive Toxicology* found that prenatal exposure to environmental pollutants mutates the fetal epigenome- with potential effects ranging from developmental disorders, childhood disease, and transgenerational effects (Perera and Herbstman 2010). This means that not only are babies being harmed by being on this site- but also any children that these detainees have could also suffer health effects from their exposure in the womb.

Given the increased incidence of health effects from exposure on vulnerable populations, it can be inferred that the any pregnant women, children, or babies held at this site are at high risk for long term chronic health impairment. This exposure could cause harm to generations of families in the future- the entirety of which will be a direct result of contemporary U.S. immigration policy. The women and children at this facility are not provided with filtration masks or other ventilation measures to mitigate the exposure to air pollutants, or provided free alternatives to tap water at Karnes, which is unacceptable.

We urge ICE to provide free n95 ventilation masks and bottled water to those held in custody to lessen any health problems incurred among detainees while being held at Karnes. We implore those providing legal representation to demand air quality monitors on site to provide evidence of harm against their clients, require explanation of the potential exposure and its consequences to detainees, and gathering of detailed documentation of any health effects that develop while or after being detained in this location.

NORTHWEST DETENTION CENTER



Northwest Detention Center, WA

Northwest Detention Center is operated by the GEO group in the Tacoma Tideflats area of Tacoma, Washington. This area is a listed Superfund site, ID WAD980726368. The facility opened in 2004, and currently holds over 1,400 immigrant detainees, making it one of the largest detention centers in the nation (ICE 2017). The EPA superfund contaminant list shows this area to be polluted with 27 different compounds, a few of which include- antimony; arsenic; benzene; beryllium; cadmium; chromium VI; copper; lead; manganese; mercury; nickel; PCBs; PAHs; selenium; silver; tetrachloroethylene; thallium; and zinc. These toxicants are found in soil, sediment, surface water, groundwater, and air supplies on site (EPA 2018). These chemicals and compounds can be ingested through water supplies, breathing contaminated air, and exposure on the skin. Health impacts can range from skin irritation, respiratory infections, developmental effects, cancers, organ failure, and death (ATSDR 2018). During a public comment period in 2017 for a proposed pause on further industrial projects at the site, citizens living around the Tideflats reported headaches, sore throats, and inability to breathe the outdoor air without respiratory distress because of living close to the area (City of Tacoma 2017). Citizens are not living on the premises like immigrant detainees are forced to, so it is highly likely that detainees are suffering from health effects from these pollutants to a higher degree.

Yet, health effects are just one of the environmental dangers facing detainees held at this facility. The very building is constructed upon a low-lying floodplain on top of loose soils that are prone to liquifying during earthquakes (Johnson et al. 2004). Scientists also estimate that the Tideflats are the exact location that volcanic mudslides will flow if Mt. Rainer combusts, and this area would be completely wiped out by seawater if a tsunami ever hits the Puget Sound (USGS 2016, Walsh 2009). For these very reasons, the Tideflats are only zoned for industrial projects, but through political lobbying, an immigrant detention center was approved in this hazard zone anyway in 2004 (Kamb 2012). If any of these natural disasters were to hit Tacoma, the GEO group would have less than eight minutes to evacuate almost 1,500 detainees- and their safety plans and protocols have never been released to the public (Henterly 2015).

The area the Northwest Detention Center is built on should never be used to imprison human beings, as it is at extreme risk in the face of any natural disasters and is a highly polluted area. This facility should be shut down and relocated to a safer location to prevent unnecessary deaths in case of severe weather events. While detainees are being held in this space, we recommend provision of n95 ventilation masks and bottled water free of charge to ease the effects of living in this contaminated location.

TORNILLO TENT CAMP



Tornillo Tent Camp*

The Tornillo Detention Center is located along the Mexican border in Texas, and was constructed in the summer of 2018 to house immigrant children (ages 12-17) in large canvas tents. The tent city started with 500 beds, but as of September 2018 it was expanded to 3,800 (Aguilar 2018). This expansion of over seven times capacity seems to suggest preparation to detain minors in larger numbers for longer periods of time at this location*- coinciding with the current efforts of the Trump regime seeking to reverse the Flores agreement defining basic rights of juvenile immigrant detainees (Miroff and Sacchetti 2018). As of October 2018, 500 children had been held at Tornillo since August 2018, with 46 of them detained in the tent city since June 2018. This is a direct violation of the Flores agreement that limits juvenile immigrant detention to 20 days (*Flores v Reno 1997*).

Government officials and media were not allowed to enter the camp during its operation, but what has been reported is bleak. Minors sleep in metal bunk beds alongside other children in a canvas tent (Arnold 2018). The only times that the children are left unaccompanied are when they go to the bathroom. They are not provided with any education classes while held on site (Arnold 2018). Tornillo is also exempt from unannounced child welfare inspections designed to guarantee the health and safety of children kept at these centers (Dickerson 2018). This facility cannot be described as anything other than a prison, yet there are no audits to ensure it is being run in a just and safe way to protect these children.

It costs the American taxpayer \$1,200 per day per child at the Tornillo camp- this cost is largely due to having to truck in all resources (AP 2018). The LA Times reports that 2,000 gallon trucks are driven out of the camp and filled at a hydrant outside the facility (AP 2018). If the Tornillo camp is using hydrants supplied by the El Paso Water Utility to fill these trucks, then these minors are likely being exposed to contaminated water while being detained. The El Paso Water Quality Reports from 2012-2017 show a history of water quality violations of health guidelines by the utility (EPWU 2012, 2017):

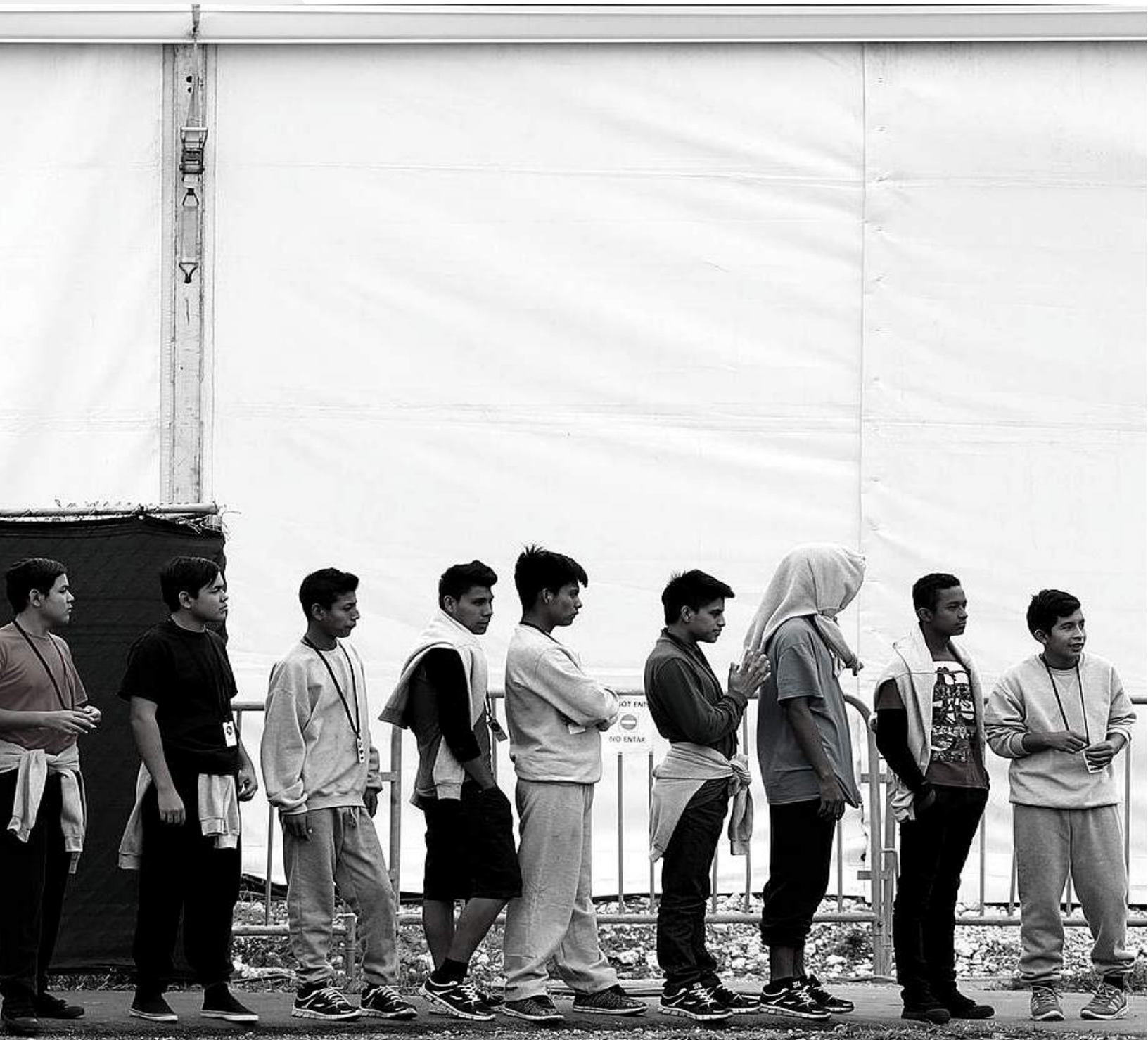
- Water cloudiness and brown discoloration have been reported and, as a result, some residents buy bottled water. (EPWU 2017)
- High levels of arsenic were found in the Tornillo Water District in 2015 (tested at 12 to 14 ppb, over the 10 ppb limit) (EIP 2016).
- In 2017, uranium, lead, and total trihalomethanes were all over the EPA set MCL levels within the water system (EPWU 2017).

While the water being provided to Tornillo is not confirmed to come from an El Paso supplied hydrant, the very act of housing minors in tents in the desert posed its own health risks. Children who have left the facility reported the sweltering heat in the summers and broken air conditioners in tents (Morel and Michels 2018). The national weather service states that heat kills more people annually than floods, lightning, hurricanes, and tornadoes combined- and exposing a vulnerable population to extreme heat can cause severe health effects (Edwards and Medlock 2016). Southern Texas is also a region where valley fever is endemic—a debilitating health condition that spreads through inhaling dust containing the fungus *Coccidioides* (CDC 2018). Holding a majority Hispanic group of children in tents for long periods of time in the desert puts them at direct risk of contracting this disease, as this group is subject to high incidence of severe complications leading to hospitalization from this illness (CDPH 2016).

Caging children in tent camps is abhorrent, a direct threat to their mental and physical health, and a clear violation of the four core principles of the United Nations Convention on the Rights of the Child. Bottled water should be provided to children at the camp if supplied by El Paso Water Utility, and air conditioning must be provided at all times during severe heat. Children should be made aware of the possibility of contracting Valley Fever, and protective masks should be provided to those who wish to have them to prevent infection by the fungus. The Office of Inspector General, Child Protective Services, and Governmental Officials must be granted direct access to tours of this facility to ensure further abuses are not being inflicted on these children. *

**As of January 11, 2019, the 2,800 children at Tornillo Tent Camp have been relocated. Some to sponsors and family members, and others have been shipped to other detention centers such as Homestead (Sacchetti 2019). It is unknown if the camp will be closed for operations permanently or if it will be reused in the future.*

HOMESTEAD TENT CAMP



Homestead Temporary Shelter for Unaccompanied Children

The Homestead tent camp is located on the Homestead Air Force Base outside of Miami, Florida. This location was used to house over 2,000 migrant children from 2016-2017, and has reopened in 2018 with a capacity of over 2,300 beds (Leibowitz 2018, Burke and Snow 2018). Children from the Tornillo Tent Camp will likely be relocated to this location (Sacchetti 2019). This location is within two miles of the Homestead Air Force Base superfund site, ID FL7570024037. The EPA superfund contaminant list for this site details soil, sediment, surface and groundwater contamination at this location with 53 different types of toxins (EPA 2018). Some of the chemicals found on site include; 2-methylnaphthalene, antimony, arsenic, barium, benzene, benzo(B)fluoranthene, benzo(k)fluoranthene, benzo(A)anthracene, benzo(A)pyrene, bromodichloromethane, cadmium, chloroform, chromium (VI), chrysene, cyanide, ethylbenzene, lead, manganese, mercury, naphthalene, PCBs, PAHs, pyrene, vanadium, and xylenes. Many of these chemicals are human carcinogens, and cause a variety of other serious chronic health problems such as kidney failure, hemolytic anemia, developmental damage, and death (ATSDR 2002, ATSDR 2005, ATSDR 2012, ATSDR 2018, NJDPH 2001, NJDPH 2008, NJDPH 2016).

The chemicals found at this site are products of the combustion of fossil fuels used in military aircraft and munitions testing. EPA superfund listing details show that these compounds have polluted the soils and groundwater in this location, which has likely affected resources beyond the two-mile radius in which the Homestead tent camp is located. As previously discussed in this report, children with developing minds and bodies are highly susceptible to incurring serious health effects from exposure to environmental pollutants, and could be faced with lifelong damage from the exposures they endure while being detained.

The potential exposure to and subsequent health effects from environmental pollutants at the Homestead tent camp on a majority Latin American juvenile population are a direct violation of the international rights of the child (United Nations 1989 art. 15).

This international treaty states that for any person under the age of 18:

Article 2

*“(Participating Nations) ... shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the **child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.**”*

Article 6:2

“(Participating Nations) ... shall ensure to the maximum extent possible the survival and development of the child.”

(United Nations 1989 art. 15)

The American government is in blatant violation of these standards for the humane treatment of children, and is potentially imparting upon those detained irreversible damage to their development on the basis of their country of origin. The American Academy of Pediatrics released a statement in 2018 on its stance on detaining children, speaking of its ill effects:

“This type of highly stressful experience can disrupt the building of children's brain architecture. Prolonged exposure to serious stress – known as toxic stress – can lead to lifelong health consequences.” (AAP 2018)

With this being a result of the stress that children face when being detained- these threats are only magnified by environmental toxin exposure. Migrant children are still children, and deserve to be treated as such. We demand that these minors be released into alternative care to provide them with compassionate and safe housing. If detention is continued at Homestead, we strongly urge ICE to provide free bottled water to children on site, as well as a release of contamination testing results for the Homestead Shelter.

The cover features a bold, geometric design. The top-left and bottom-right corners are yellow, while the bottom-left corner is grey. A diagonal line separates these colors. In the bottom-left corner, there is a close-up, black and white photograph of barbed wire. The main title is in large, bold, black, sans-serif capital letters, centered on the right side of the page.

MILITARY BASES LIKELY HOUSING IMMIGRANTS

AS OF JANUARY 2019

The military bases in this list have been used to house immigrants since 2012, or have been explicitly noted as potential sites for immigrant detainees by the Trump regime. All of these sites may currently be holding immigrants, but the GEJP could only confirm the numbers of immigrants held in these locations since 2012.

Fort Bliss, TX

Fort Bliss is a military base outside the city of El Paso, Texas. This base has multiple contaminated areas on site, and is listed under superfund ID TX4213720101. The EPA does not currently name the contaminants, administrative records, or reports on the superfund listing of this site. Fort Bliss has previously held over 7,000 immigrant minors from September 2016 to February 2017 (Kapp and Torreon 2018). In June 2018, the Trump administration released a memo that stated plans for holding up to 20,000 immigrants at Fort Bliss (*Hispanic Federation v U.S. Army 2018*) This prompted a lawsuit filing against the United States Army by activist groups for violating the Freedom of Information Act. The suit states that information on the level of contamination at Fort Bliss must be shared with the public before immigrants are placed at this facility, as it could pose a serious threat to immigrant health (*Hispanic Federation v U.S. Army 2018*). There are eight current areas under investigation for contamination by the Fort Bliss Restoration Advisory Board- these sites include nuclear weapons storage areas, munitions testing sites, and waste dump sites (U.S. Army 2016). This base was found to have radiological contamination in 2013, and likely has a host of other sources of contamination given its history of storage and testing of munitions and nuclear weapons (AP 2013). Radiation exposure can cause a range of health effects depending on the level of exposure- from mild symptoms such as nausea and vomiting, hair loss, and skin burns; to seizures, cancer, and death (EPA 2018).

Goodfellow AFB, TX

Goodfellow Air Force Base is located outside of San Angelo, TX, and is listed as a superfund site ID TX2571524071. The EPA does not currently name the contaminants, administrative records, or reports on the superfund listing of this site. This site was also listed in a Trump memo in June 2018 to be prepared for immigrant detainees, and was included in the FOIA lawsuit along with Fort Bliss (Elliot and Hennigan 2018). This site is home to an uncapped landfill of industrialized waste and a munitions testing range (Earthjustice 2018). In a Department of Defense report to congress, Goodfellow AFB was also listed as an area suspected to have released perfluoroalkyl acids into the environment on site, the health effects of which were discussed earlier in this report (DOD 2018).

Holloman AFB, NM

Holloman Air Force Base is located in Otero County, NM, and is listed as a superfund site, ID NM6572124422. The EPA does not currently name the contaminants, administrative records, or reports on the superfund listing of this site. Holloman AFB held 129 immigrant minors in 2016 (Kapp and Torreón 2018). A June 2018 RCRA report by Holloman AFB describes four on-site solid waste storage areas and eight areas of concern (due to past contamination), and these contamination events have likely led to groundwater and soil pollution far beyond the areas of remediation described in that report (NMED 2018). The areas of concern in that report were exposed to contaminants such as sodium arsenite, solid rocket fuel propellants, carbon-14, iodine-125, petroleum hydrocarbons, and PAHs (NMED 2018). These chemicals are known to cause skin disorders, respiratory illness, neurological effects, cancer, and death (NJDH 2001, EPA 2018, ATSDR 2015).

Lackland AFB, TX

Lackland Air Force Base is located outside of San Antonio, TX, and is listed as a superfund site, ID TX4571524129. The EPA does not currently name the contaminants, administrative records, or reports on the superfund listing of this site. Lackland AFB held 800 migrant children in 2012, and 4,357 children in 2014 (Kapp and Torreón 2018). A 2018 Department of Defense report showed that **14 of 20** taps at Lackland tested for high levels of perfluoroalkyl acids (DOD 2018). As of May 2018, a sewer pipeline serving Lackland and surrounding areas is suspected of releasing toxic waste into the environment as well (Frame 2018).

Port Hueneme Naval Base, CA

Port Hueneme Naval Base is located in Oxnard, CA, and is listed as a superfund site ID CA6170023323. The EPA does not currently name the contaminants, administrative records, or reports on the superfund listing of this site. Over 1,500 migrant children were held on the base in 2014 (Kapp and Torreón 2018). 2018 Department of Defense report showed **4 out of 4** taps at the base tested for high levels of perfluoroalkyl acids (DOD 2018).

Implications and Solutions

A Larger Problem

The contamination seen at these detention centers and military bases is indicative of a much larger issue; rampant contamination of American soil; water; and air; with the brunt of this pollution being in low-income, underserved communities. The current environmental laws in place are not efficiently or effectively protecting our citizens, military personnel, and prisoners held in these spaces; and it is a violation of these groups' human rights to be exposed to hazardous chemicals without their knowledge or consent.

One-fourth of Americans are serviced by water utilities that are in violation of the Safe Water Drinking Act (SWDA), and some have been for decades (Fedinick et al. 2017). In 2017, the USEPA found that 16% of the population lives within three miles of a superfund site- which is over 53 million Americans (EPA 2017). The areas plagued by these issues largely are underprivileged, with a lack of resources to prompt their local governments to protect their rights and safety (EPA 2017). This trend is seen all over the country, and can result in catastrophic events that harm thousands irreversibly, such as the water crisis that is still occurring in Flint, Michigan. Our environmental laws are failing, and drastic action must be taken to ensure the safety of all those who live, work, play, and are detained on American soil. We recommend congressional amendments and action to bring about the following much needed upgrades to our outdated environmental regulations:

- Amendment of the Safe Drinking Water Act to allow citizen suits to litigate against water utilities for monetary penalization per day of violation. Both the Clean Air Act (CAA) and the Clean Water Act (CWA) have citizen suit rules laid out in their mandates. Without this type of monetary threat against water utilities and local polluters, the status quo of withholding of information and lack of penalty for long term violations will likely continue.
- A strengthened EPA military initiative to ensure military bases on American soil are not harming those stationed on or living around them. The system of leniency and lack of enforcement seen on military bases has led to decades of military personnel poisoning, and must be remedied. While there are obvious challenges with national security, the EPA is a governmental agency and should be able to oversee military operations in a way that is both secure and keeps military personnel's safety in mind.

- Amendment to the CAA to require air quality monitors in any area performing oil and natural gas extraction project. Currently these monitors are only required in areas of high population, but rural areas such as Karnes County have no means of enforcing pollutant quotas on private operators that are blatantly polluting their air and harming their health. This is to the benefit of the fossil fuel companies and must be remedied to give precedence back to human safety instead of monetary gain.

An International Disgrace

The imprisonment of immigrants seeking a better life in America is a direct violation of our nation's core values (as evidenced by the quote adorned on the Statue of Liberty):

*"Give me your tired, your poor, your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore. Send these, the homeless, tempest-
tost to me, I lift my lamp beside the golden door!" (Lazarus 1883)*

and the blatant poisoning of this group in multiple locations is an outrage that is in clear violation of international and domestic law (U.S. Constitution Amendments 5, 6, and 8; Public Law 96-212; United Nations Treaty Series vol. 189 p. 137; USCIS 2011).

For instance, the poisoning of a majority Latin American population, with little access to legal representation, no freedom of movement, and no criminal charges against them is a direct violation of articles (b) and (c) of the 1948 U.N. Genocide Convention:

"...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part...."

Exposure to the types of environmental contaminants found in these spaces can inflict chronic, serious health effects on the body. These ailments range from neurological disorders, chronic organ disease, infertility, cancers, and death- as evidenced in this report. Any of these maladies can severely impede one's quality of life, and can arguably constitute "*serious bodily harm*" from article (b). ICE or its subsidiaries were aware of the contamination concerns in these spaces before choosing to house

immigrants at these locations, which could be interpreted to meet the requirements for "*Deliberately*" in article (c), with any chronic ailment or deaths incurred by immigrants held in these spaces due to exposure to meet "*physical destruction in*

whole or in part.” The trend of housing immigrants in contaminated spaces is an abhorrent violation of human rights on American soil in the 21st century, and it must be remedied swiftly to prevent any further damage to this group. Moreover, the housing of immigrant children on military bases suggests or implies that these minors are potential combatants and hostile actors deemed a threat to national security.

Even still, the already imparted effects of exposure to toxins in these spaces could follow these refugees well beyond their time in detention, and could potentially have generational effects for years to come (Perera and Herbstman 2011). This will be a direct result of the United States’ choices to demonize and detain immigrants well past Trump's residence in office.

Tested Solutions

We call for an immediate reinstatement of the **Family Case Management Program**, previously run through ICE, to begin to rectify the shameful treatment of families on American soil. This program used case managers to ensure immigrants awaiting civil trials attended court hearings and complied with release conditions- while allowing them to remain in the community outside of prison walls (OIG 2017). The program was still in its pilot phase when it was canceled by the Trump regime in 2017, but it had great success in the five districts in which it was used in: New York City/Newark, Los Angeles, Chicago, Miami, and Baltimore/Washington, D.C. (ACLU 2018). The Office of Inspector General reports that the program had a 99-100% effectiveness rate for ensuring immigrant presence at ICE and court proceedings, and it cost only \$36 per day per participant (OIG 2017, DHS 2017). The current cost of housing of immigrants in prisons and tent camps is astronomical, with an estimate of \$319 per day per person in custody, paid by the American taxpayer (DHS 2017).

This Family Case Management Program was a proven mechanism to deal with immigration cases compassionately, safely, and cheaply- but it isn't the only way to end these practices. The International Detention Coalition published a report in 2015 detailing over 250 examples of detention alternatives in 60 countries worldwide (IDC 2015). These programs all lack one thing; they are not profitable for private prison companies, such as CoreCivic and the GEO Group, which have profited wildly since Trump's immigration policies took effect (GEJP 2018). The American political system must pry itself away from serving corporate interests and return to the humanist philosophies that created it. There is no excuse or justification legally, monetarily, or morally to continue the practice of blatant abuse and neglect of migrants seeking better life in America, and we call for congressional action focused on creating humane policies to deal with these issues.

References

- ACLU. (2017). The Tried-And-True Alternatives to Detaining Immigrant Families. Available at: <https://www.aclu.org/blog/immigrants-rights/immigrants-rights-and-detention/tried-and-true-alternatives-detaining>
- Agency for Toxic Substances & Disease Registry (ATSDR). (1999). Public Health Statement: Total Petroleum Hydrocarbons. Available at: <https://www.atsdr.cdc.gov/PHS/PHS.asp?id=46&tid=15>.
- Agency for Toxic Substances & Disease Registry (ATSDR). (2005). Public Health Statement: Naphthalene, 1-Methylnaphthalene, 2-Methylnaphthalene. Available at: <https://www.atsdr.cdc.gov/phs/phs.asp?id=238&tid=43>.
- Agency for Toxic Substances & Disease Registry (ATSDR). (2007). Public Health Statement: Xylenes. Available at: <https://www.atsdr.cdc.gov/phs/phs.asp?id=293&tid=53>.
- Agency for Toxic Substances & Disease Registry (ATSDR). (2012). Public Health Statement: Cadmium. Available at: <https://www.atsdr.cdc.gov/PHS/PHS.asp?id=46&tid=15>.
- Agency for Toxic Substances & Disease Registry (ATSDR). (2014). Toxicological Profile for Trichloroethylene. Available at: <https://www.atsdr.cdc.gov/ToxProfiles/tp19.pdf>
- Agency for Toxic Substances & Disease Registry (ATSDR). (2018). Toxicological Profiles. Available at: <https://www.atsdr.cdc.gov/toxprofiledocs/index.html>.
- Agency for Toxic Substances & Disease Registry (ATSDR). (2018). Toxicological Profile: Bromodichloromethane. Available at: <https://www.atsdr.cdc.gov/ToxProfiles/tp.asp?id=708&tid=127>.
- Aguilar, J. (2018). Legal aid group trying to help immigrant children detained in Tornillo find their families. The Texas Tribune (2018). Available at: <https://www.texastribune.org/2018/06/22/texas-legal-aid-group-trying-help-immigrant-children-detained-tornillo/>.
- Arnold, A. (2018). Tent City for Immigrant Children: What Journalists Saw. The Cut. Available at: <https://www.thecut.com/2018/06/tent-city-tornillo-immigrant-children-separated.html>
- Associated Press. (2013). Fort Bliss leaders seek tips on contaminated sites. Available at: <https://newsok.com/article/feed/567344/fort-bliss-leaders-look-for-tips-on-contaminated-sites>.
- Associated Press. (2018). At sprawling tent city for migrant teens in Texas, costs soar and staff is hired without fingerprint checks. Los Angeles Times. Available at: <https://www.latimes.com/nation/la-na-migrant-teen-detention-camp-checks-20181127-story.html>
- Burke, G. and Snow, A. (2018). AP Exclusive: Migrant Teen Tent City Staying Open in 2019. Associated Press. Available at: <https://www.apnews.com/6a96a7e3afa34ae288156f43f7db9cf2>

California Department of Public Health (CDPH). (2016). Valley Fever and African Americans, Filipinos, and Hispanics. Available at:
<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/VFRaceEthnicity.pdf>

CBS News. (2013). Army investigates radiation exposure at Fort Bliss. Available at:
<https://www.cbsnews.com/news/army-investigates-radiation-exposure-at-fort-bliss/>.

CDC. (2018) Facts About Benzene. Available at:
<https://emergency.cdc.gov/agent/benzene/basics/facts.asp>.

CDC. (2018). Facts About Benzene. Available at:
<https://emergency.cdc.gov/agent/benzene/basics/facts.asp>.

CDC. (2018). Valley Fever Awareness. Centers for Disease Control and Prevention. Available at:
<https://www.cdc.gov/features/valleyfever/index.html>.

City of Tacoma Planning & Development Services Department. (2017). Tideflats Written Public Comments (through 9-14-17). Available at:
[http://cms.cityoftacoma.org/Planning/Tideflats/InterimRegulations/Tideflats%20Written%20Comments%20\(thru%209-14-17\).pdf](http://cms.cityoftacoma.org/Planning/Tideflats/InterimRegulations/Tideflats%20Written%20Comments%20(thru%209-14-17).pdf)

Department of Homeland Security. (2017). U.S. Immigration and Customs Enforcement Budget Overview: Fiscal Year 2018. Available at:
https://www.dhs.gov/sites/default/files/publications/CFO/17_0524_U.S._Immigration_and_Customs_Enforcement.pdf

Dickerson, C. (2018). Detention of Migrant Children Has Skyrocketed to Highest Levels Ever. The New York Times. Available at: <https://www.nytimes.com/2018/09/12/us/migrant-children-detention.html>

Dickerson, C. (2018). Migrant Children Moved Under Cover of Darkness to a Texas Tent City. The New York Times. Available at: <https://www.nytimes.com/2018/09/30/us/migrant-children-tent-city-texas.html>

Earthjustice. (2018). Migrant Detention Centers in Texas Probed For Toxic Waste Threats. Available at:
<https://earthjustice.org/news/press/2018/texas-migrant-detention-centers-probed-for-toxic-pollution>.

Earthjustice. (2018). Re: Request for Information Regarding Fort Bliss and Goodfellow Air Force Bases. Available at:
https://earthjustice.org/sites/default/files/files/Detention%20Camp%20DOD%20FOIA%20Request%208.18_FINAL.pdf

Earthworks. 2017. Hazards in The Air: Relating reported illnesses to air pollutants detected near oil and gas operations in and around Karnes County, Texas. Available at:
https://earthworks.org/publications/hazards_in_the_air/

Eathworks. (2018). Country Living: Dirty Air, Oil and Gas Pollution in Rural America. Available at:
<https://earthworks.org/cms/assets/uploads/2018/07/country-living-dirty-air.pdf>

El Paso Water Utilities. (2012). 2012 Drinking Water Report. Available at: <http://waterquality.waterfiltercomparisons.com/wp-content/uploads/el-paso-tx-water-quality-reports-2012.pdf>

Environmental Integrity Project (EIP). (2016). Don't Drink the Water. Available at: <https://environmentalintegrity.org/wp-content/uploads/Arsenic-Report.pdf>

EPA. (2018). Commencement Bay, Near Shore/Tide Flats Tacoma, Wa. Superfund Site Profile. Available at: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.contams&id=1000981>.

EPA. (2018). George Air Force Base, CA. Superfund Site Profile. Available at: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.contams&id=0902737>.

EPA. (2018). Homestead Air Force Base, NM. Superfund Site Profile. Available at: <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.contams&id=0404746>.

EPA. (2017) Office of Land and Emergency Management Estimate. Available at: <https://www.epa.gov/sites/production/files/2015-09/documents/webpopulationrsuperfundsites9.28.15.pdf>

EPA. (2014). Radiation Health Effects. Available at: <https://www.epa.gov/radiation/radiation-health-effects>.

Flores v. Sessions, Case 2:85-cv-04544-DMG-AGR. (2018).

Frame, C. (2018). Air Force Must Test for Soil Contamination Around Controversial Pipeline. Available at: <http://www.tpr.org/post/air-force-must-test-soil-contamination-around-controversial-pipeline>

Fedinick, K. P., Wu, M., Panditharatne, M. & Olson, E. D. (2017). Threats on Tap: Widespread Violations Highlight Need for Investment in Water Infrastructure and Protections. NRDC. Available at: <https://www.nrdc.org/resources/threats-tap-widespread-violations-water-infrastructure>

Gronstal, D., Brac, C. & Street, O. (2016). Draft Five-Year Review Report, Former George Air Force Base, Victorville, San Bernardino County. Available at: <https://www.fairwarning.org/wp-content/uploads/2017/02/GAFB-Draft-Fourth-5YR-com.pdf>

Hals, T., Cooke, K. (2018). Hundreds of migrant children held in U.S. tent city for months: filings. Reuters. Available at: <https://www.reuters.com/article/us-usa-immigration-tentcity/hundreds-of-migrant-children-held-in-us-tent-city-for-months-filings-idUSKCN1MX02F>

Henterly, L. (2015). The disaster waiting to happen at the Northwest Detention Center. The Seattle Globalist. Available at: <http://www.seattleglobalist.com/2015/03/18/northwest-detention-center-tsunami-disaster-evacuation-tacoma/34981>

Hildenbrand, Z. L. et al. (2017). A reconnaissance analysis of groundwater quality in the Eagle Ford shale region reveals two distinct bromide/chloride populations. *Science of The Total Environment* 575, 672–680. Available at: <https://www.sciencedirect.com/science/article/pii/S0048969716319891>

Hispanic Federation v. US Department of the Army, Case 1:18-cv-07969. (2018).

International Detention Coalition. (2015). *There Are Alternatives*. Available at: <https://idcoalition.org/publication/there-are-alternatives-revised-edition/>

Johnson, S. Y., Blakely, R. J., Stephenson, W. J., Dadisman, S. V. & Fisher, M. A. (2004). *Tsunami Hazard Map of Tacoma, Washington: Model Results for Seattle Fault and Tacoma Fault Earthquake Tsunamis*. Washington Division of Geology and Earth Resources. Available at: <http://doi.wiley.com/10.1029/2003TC001507>

Kamb, L. (2017). A rare look inside Tacoma's Northwest Detention Center. *The News Tribune*. Available at: <https://www.thenewstribune.com/news/special-reports/article25860412.html>.

Kapp, L., Torreon, B., S. (2018). *History of Use of U.S. Military Bases to House Immigrants and Refugees*. Federation of American Scientists. CRS Insight 3. Available at: <https://fas.org/sgp/crs/natsec/IN10937.pdf>

Kopetman, R. (2018). ICE plans to send 1,600 immigrant detainees to federal prisons, including approximately 1,000 to Victorville. *Orange County Register*. Available at: <https://www.ocregister.com/2018/06/07/ice-plans-to-send-1600-immigrant-detainees-to-federal-prisons-including-approximately-1000-to-victorville/>.

Lamothe, D., Min Kim, S., Miroff, N. (2018). Pentagon will make room for up to 20,000 migrant children on military bases. *The Washington Post*. Available at: <https://www.washingtonpost.com/news/checkpoint/wp/2018/06/21/pentagon-asked-to-make-room-for-20000-migrant-children-on-military-bases/>.

Lau, C., Butenhoff, J. L. & Rogers, J. M. (2004). The developmental toxicity of perfluoroalkyl acids and their derivatives. *Toxicol. Appl. Pharmacol.* 198, 231–241. Available at: <https://www.sciencedirect.com/science/article/pii/S0041008X04000468>

Lazarus, E. (1883). *The New Colossus*. Liberty State Park.

Leibowitz, A. (2018). Harsh Prison or Cushy Camp? Ex-staffers Have Different Takes on Life at Homestead Shelter. *Miami Herald*. Available at: <https://www.miamiherald.com/latest-news/article214404519.html>

Lu, J. (2018). Immigrant children in U.S. detention camps could face yet another health hazard: contaminated water. *Popular Science*. Available at: <https://www.popsci.com/detained-children-military-base-water-contamination#page-2>.

Nexus Media. (2018.) *Immigrant Detention Center Stifled by Pollution*. Available at: <https://nexusmedianews.com/texas-immigrant-detention-center-marred-by-pollution-video-bc936076a97>.

Minnesota Department of Health (MDH). (2008). *Health Risk Limits for Perfluorochemicals: Report to the Minnesota Legislature*. Available at: <http://www.health.state.mn.us/divs/eh/hazardous/topics/pfcs/finalreport011508.pdf>

Miroff, N., Sacchetti, M. (2018). Trump administration to circumvent court limits on detention of child migrants. Washington Post. Available at: https://www.washingtonpost.com/world/national-security/trump-administration-to-circumvent-court-limits-on-detention-of-child-migrants/2018/09/06/181d376c-b1bd-11e8-a810-4d6b627c3d5d_story.html.

Morel, L., C. and Michels, P. (2018). No one on the inside can talk about what's happening at the tent city for migrant kids. The Texas Tribune. Available at: <https://www.texastribune.org/2018/11/28/tent-city-texas-migrant-children/>.

National Immigrant Justice Center (NIJC). (2017). ICE Detention Facilities as of November 2017. Available at: <https://immigrantjustice.org/ice-detention-facilities-november-2017>.

New Jersey Department of Health. (2008). Hazardous Substance Fact Sheet: Chrysene. Available at: <https://nj.gov/health/eoh/rtkweb/documents/fs/0441.pdf>

New Jersey Department of Health. (2008). Hazardous Substance Fact Sheet: Benz(A)Anthracene. Available at: <https://nj.gov/health/eoh/rtkweb/documents/fs/0193.pdf>

New Mexico Department of the Environment (NMDE). (2018). Fact Sheet/Statement of Basis for Approval of Corrective Action Complete For Four Solid Waste Management Units And Eight Areas Of Concern: Holloman Air Force Base, New Mexico. Available at: <https://www.env.nm.gov/wp-content/uploads/2016/05/2018-6-21-HAFB-CAC-Fact-Sheet-SOB-.pdf>

O'Callaghan-Gordo, C., Orta-Martinez, M. & Kogevinas, M. (2016). Health effects of non-occupational exposure to oil extraction. Environmental Health. 15:56. Available at: <https://ehjournal.biomedcentral.com/articles/10.1186/s12940-016-0140-1>

Office of Inspector General (OIG). (2017). U.S. Immigration and Customs Enforcement's Award of the Family Case Management Program Contract (Redacted). Available at: <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-22-Nov17.pdf>

Perera, F. & Herbstman, J. (2011). Prenatal environmental exposures, epigenetics, and disease. Reproductive Toxicology 31, 363–373. Available at: <http://www.sciencedirect.com/science/article/pii/S0890623811000025>

Post, G. B., Cohn, P. D. & Cooper, K. R. (2012). Perfluorooctanoic acid (PFOA), an emerging drinking water contaminant: a critical review of recent literature. Environ. Res. 116, 93–117. Available at: <https://www.sciencedirect.com/science/article/pii/S0013935112000904>

Railroad Commission of Texas. (2018). Oil Well Counts By County As of February 2018. Available at: https://www.rrc.state.tx.us/media/43947/oil_wells_by_cnty_20180203.pdf

Ramirez v. ICE Case 1:18-cv-00508-RC (2018)

S. 643 — 96th Congress: Refugee Act of 1979

.

Sacchetti, M. (2019). Trump administration removes all migrant teens from giant Tornillo tent camp. The Washington Post. Available at: https://www.washingtonpost.com/local/immigration/trump-administration-to-shutter-texas-tent-city-for-migrant-teens/2019/01/11/c914356e-1510-11e9-b6ad-9cf62dbb0a8_story.html.

Scottish Environmental Protection agency. (2018). Pollutant Fact Sheet: Benzo(a) pyrene. Available at: <http://apps.sepa.org.uk/spria/Pages/SubstanceInformation.aspx?pid=22>.

Steenland, K., Fletcher, T. & Savitz, D. A. (2010). Epidemiologic Evidence on the Health Effects of Perfluorooctanoic Acid (PFOA). *Environ Health Perspect* 118, 1100–1108. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2920088/>

Sullivan, M. (2018) Addressing Perfluorooctane Sulfonate (PFOS) and Perfluorooctanoic Acid (PFOA). U.S. Department of Defense (DOD). Available at: <http://www.oea.gov/resource/addressing-perfluorooctane-sulfonate-pfos-and-perfluorooctanoic-acid-pfoa>.

The United Nations. "Convention on the Rights of the Child." Treaty Series 1577 (1989): 3. Print.

The Global Environmental Justice Project. (2018). Environmental Injustice Behind Bars: Toxic Imprisonment in America. Available at: http://www.es.ucsb.edu/gejp/sites/secure.lsit.ucsb.edu/envs.d7_gejp-2/files/sitefiles/publication/PEJP%20Annual%20Report%202018.pdf

United States of America: Victims of Trafficking and Violence Protection Act of 2000. Public Law 106-386 [H.R. 3244], 28 October 2000

UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137

United States. Pub.L. 104–182, 110 Stat. 1613. "Safe Drinking Water Act Amendments of 1996." 1996-08-06.

USGS. (2016). Mt. Rainier Lahar Hazard Map. Available at: <https://www.usgs.gov/media/images/mt-rainier-lahar-hazard-map>.

Webb, E. et al. (2018). Neurodevelopmental and neurological effects of chemicals associated with unconventional oil and natural gas operations and their potential effects on infants and children. *Rev Environ Health* 33, 3–29. Available at: <https://www.ncbi.nlm.nih.gov/pubmed/29068792>