

EXHIBIT 10

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FAOUR ABDALLAH FRAIHAT, *et al.*,

Plaintiffs,

V.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, *et al.*,

Defendants.

Case No. 5:19-CV-01546 JGB (SHKx)

DECLARATION OF DR. ADA RIVERA

I, Dr. Ada Rivera make the following statements under oath and subject to the penalty of perjury:

1. I am currently the Deputy Assistant Director for Clinical Services/Medical Director of the ICE Health Service Corps (IHSC) of Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement (ICE). I have held this position since July 2017.
2. In my current position, I oversee and monitor all clinical services at IHSC-staffed facilities that house ICE detainees.
3. IHSC provides direct medical, dental, and mental health patient care to approximately 13,500 detainees housed at 20 IHSC-staffed facilities throughout the nation.
4. IHSC comprises a multidisciplinary workforce that consists of U.S. Public Health Service Commissioned Corps (USPHS) officers, federal civil servants, and contract health professionals.
5. ICE is following CDC guidance on testing and is expanding testing in various settings to include more frequent testing of asymptomatic exposed individuals when there is an ongoing outbreak in a facility in order to identify new cases and isolate those who test positive from other detainees.
6. The number of COVID-19 vaccine doses needed for ICE detainees at both IHSC and non-IHSC facilities was reported to DHS vaccine planners who conveyed this information to

Operation Warp Speed staff earlier in the pandemic.

7. The detainee vaccine allotment is incorporated with the total COVID-19 vaccine amount that is distributed by the federal government to each state.
8. Any vaccine that detention facilities receive from their state may be administered by facility medical staff or through other processes as defined by the state and/or local vaccination implementation plan.
9. ICE does not currently have a separate plan to deal with the more contagious strain of the virus, as there are no specific recommendations from health authorities other than standard guidance—that is, that all people should maintain social distance from others, wear masks, and practice regular hand hygiene. Individuals are advised to receive the COVID vaccine as quickly as possible to improve their immune response against the contagious strain.
10. ICE detainees are waiting to receive their vaccine through the distribution prioritization process that is occurring in each state.
11. IHSC does not dictate or is not involved in vaccination processes for non-IHSC-staffed facilities. Since the vaccine is being distributed through state channels, each state may have specific requirements for these detention facilities.
12. As of this declaration, no vaccine has been made available to detainees at IHSC-staffed facilities.
13. On May 15, 2020, the Court ordered Defendants to produce a “list of the titles and level of medical training of personnel making risk factor determinations for each facility.” ECF No. 150 at 10. IHSC has been providing this information for non-IHSC staffed facilities as it is being reported to IHSC through the existing processes.

I provide this declaration based on the best of my knowledge, information, belief, and reasonable inquiry for the above captioned case.

Executed on this 11th day of February 2021.

ADA I RIVERA Digitally signed by ADA I RIVERA
Date: 2021.02.11 19:10:09 -05'00'

Dr. Ada Rivera
Deputy Assistant Director for Clinical Services/Medical Director
ICE Health Service Corps
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement