

**Congress of the United States**  
**Washington, DC 20515**

December 19, 2018

Hon. Ron Johnson  
Chairman  
Committee on Homeland Security and  
Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Gary Peters  
Committee on Homeland Security and  
Governmental Affairs  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Lindsey Graham  
Committee on the Judiciary  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Diane Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Mike Rogers  
Committee on Homeland Security  
United States House of Representatives  
Washington, D.C. 20510

Hon. Bennie Thompson  
Committee on Homeland Security  
United States House of  
Representatives  
Washington, D.C. 20510

Hon. Doug Collins  
House Judiciary Committee  
United States House of  
Representatives  
Washington, D.C. 20510

Hon. Jerry Nadler  
House Judiciary Committee  
United States House of  
Representatives  
Washington, D.C. 20510

Dear Colleagues:

As you prepare for the 116<sup>th</sup> Congress, we respectfully request that you promptly schedule hearings in your respective committees on the death of Jakelin Caal Maquin, a 7-year-old girl from Guatemala who died on December 8, 2018, after being taken into custody with her father by U.S. Customs and Border Protection (CBP) in Lordsburg, New Mexico.

We believe the United States must treat migrants – many of whom are fleeing terror and violence in their home nations – with humanity and dignity. We remain deeply concerned about the administration's policies and practices that may be causing asylum seekers to attempt a dangerous journey of crossing between the ports of entry. As you know, the DHS Office of

Inspector General (OIG) published a report concluding the practice of turning away asylum seekers at international bridges and “limiting the volume of asylum-seekers entering at ports of entry” may be causing the increase in unauthorized crossing attempts between ports of entry.<sup>[1]</sup>

Additionally, we are concerned that it took more than a week for reports of the child’s death to become public. Congress requires CPB to report the death of any individual in CBP custody within 24 hours including relevant details regarding the circumstances of the fatality.<sup>[2]</sup> The timeline, actions, and factors that led to this girl’s tragic death are still not fully known, but the information that has become public so far is alarming and demands further investigation.

Jakelin’s death raises significant questions about the leadership at Department of Homeland Security (DHS) and CBP’s ability to adequately allocate resources, appropriately respond to the humanitarian crisis happening at our southern borders and the agency’s ability to prevent such tragedies from happening in the future. This tragedy, and the circumstances that led to it, show the urgent need for effective Congressional oversight over DHS and CBP leadership.

Thank you for your consideration of this request.

Sincerely,



Tom Udall  
United States Senator



Martin Heinrich  
United States Senator



Ben Ray Lujan  
Assistant Speaker-designate



Michelle Lujan Grisham  
Member of Congress

<sup>[1]</sup> DHS Office of Inspector General, *Special Review – Initial Observations Regarding Family Separation Issues Under the Zero Tolerance Policy* (Sep. 27, 2018), <https://www.oig.dhs.gov/sites/default/files/assets/2018-10/OIG-18-84-Sep18.pdf>.

<sup>[2]</sup> Congressional Committee Report, H. Rept. 115-239 – Department of Homeland Security Appropriations Bill, 2018, available at: <https://www.congress.gov/115/crpt/hrpt239/CRPT-115hrpt239.pdf>