



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

November 1, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley,

I write to respectfully request that the Committee hold oversight hearings on events that transpired last week near Laredo, Texas concerning the arrest of a 10-year-old little girl by Border Patrol agents. Press reports indicate that Border Patrol agents stopped an ambulance transporting Rosa Maria Hernandez, a child with cerebral palsy, and followed her to the hospital where she was having emergency gall bladder surgery. Border Patrol agents waited at the hospital until Rosa Maria's surgery was over, took her into custody from the hospital bed where she was recovering, and proceeded to put her into deportation proceedings, despite the fact that her biological parents are present in the United States.

I am absolutely shocked at how Customs and Border Protection (CBP) officials behaved in this instance. I am also concerned that the Department of Homeland Security may be violating the constitutional rights of both the child and the parents. As a result, I believe it is important for the Committee to examine whether the agency is efficiently using its resources to prioritize the removal of dangerous individuals, whether the agency followed its own policies, whether the agency is violating the constitutional rights of the parents, and lastly, whether the agency is violating the *Flores* settlement agreement and federal law concerning the treatment of unaccompanied children.

I am also concerned that these actions demonstrate a lack of commitment to prioritizing human life. As you well know, during medical emergencies, every moment counts. In this case, we are lucky that the delay did not result in death, but

I worry about future delays of emergency personnel. Given the above concerns, I believe members of the Committee deserve an opportunity to ask how a 10-year-old recovering from surgery is a threat to public safety or national security.

Stories like this underscore the need for Congress to ensure that CBP is transparent and accountable for its actions. I urge your attention on this important matter. Thank you for your consideration.

Sincerely,



Dianne Feinstein
United States Senator

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