

Congress of the United States

Washington, DC 20515

October 22, 2025

Cammilla Wamsley
Field Office Director
U.S. Immigration and Customs Enforcement (ICE)
Enforcement and Removal Operations (ERO)
12500 Tukwila International Blvd
Seattle, WA 98168

Dear Director Wamsley,

We write to raise urgent concerns regarding the ongoing detention of Ms. Kenia Jackeline Merlos at the Northwest ICE Processing Center (NWIPC) in Tacoma, Washington. Given the recent court termination of removal proceedings, we urge you to give full and due consideration to Ms. Merlos's request to be released.

On Tuesday, October 14th, Immigration Judge Torres granted the motion to terminate proceedings stating Ms. Merlos, "has been granted deferred action pursuant to a bona fide determination on an application for U-nonimmigrant status. Court has discretionary authority to terminate proceedings under 8 CFR 1003.18(d)(1)(ii)(C). DHS has not presented compelling evidence to compel the Court to deny in its discretion. As this termination is without prejudice, DHS may place Respondent back in proceedings should circumstances change in the future."

Ms. Merlos holds U-Deferred Action status, a valid work permit through 2029, and has not been charged with a crime.¹ To date, the Department of Homeland Security has not provided us with any explanation for why she was detained for so long by Customs and Border Protection (CBP) and why she is still being held at NWIPC by Immigration and Customs Enforcement (ICE). Over thirty of her community members, including friends, employers, pastors, nonprofit leaders, and teachers wrote letters of support testifying to Ms. Merlos's upstanding character, invaluable contributions to her community, and loving motherhood. She is described as a generous, deeply respected, hardworking, small business owner, who is devoted to her church congregation, neighbors, and family. Her lawyers attest she does not pose a flight risk and will comply with release conditions.

As her husband, Carlos Merlos was recently deported, their four U.S. citizen children— 9-year-old triplets and a 7-year-old child— are experiencing significant hardship being separated from their parents. Following their weekslong detention, these four U.S. citizens have been subjected to significant trauma in U.S. CPB custody and in the subsequent separation from their parents which has now persisted for over two months. Ms. Merlos and her children were detained by CBP for over two weeks without access to legal counsel (June 28th – July 14th).² In her decision granting a temporary restraining order for Ms. Merlos, the United States District Judge Lin found

¹ Troy Brynson, *Portland family detained at border facility for 2 weeks in apparent violation of immigration policy*, Oregon Public Broadcasting (July 11, 2025). <https://www.opb.org/article/2025/07/11/portland-family-detained-immigration-kenia-merlos/> and Michaela Bourgeois, *Washington judge issues order halting 'absurd' deportation of Portland family with 4 kids*, KOIN, (July 15, 2025). <https://www.koin.com/news/portland/washington-judge-issues-order-halting-absurd-deportation-of-portland-family-with-4-kids/>

² Sujena Soumayanath, *Four U.S. citizen children detained in WA, Oregon lawmaker says*, Seattle Times. (July 11, 2025). <https://www.seattletimes.com/seattle-news/four-u-s-citizen-children-detained-in-wa-oregon-rep-says/>

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that the family was “serially re-located and denied contact with Counsel.”³ During their detention, Ms. Merlos reported that her four children experienced significant fear and distress as they were detained in one room together, driven inexplicably from one location to another for entire days, and threatened with the potential of family separation or deportation to Honduras, a country the children have not been to and their mother has fear of returning to. Ms. Merlos also shared that they lacked sufficient access to fresh and nutritious food and time outside for her children to play. The children have reported that during their detention that when their mother stepped away, CBP officers tried to interrogate them.

The Merlos family’s detention contradicted standard practice and constitutional protections afforded to U.S. citizens. CBP’s own policy clearly states that individuals “should generally not be held for longer than 72 hours in CBP hold rooms or holding facilities. Every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation as appropriate and as operationally feasible.”⁴ It is inexplicable that an entire family, including four U.S. citizen children, were held for over four times longer than CBP’s own limit.

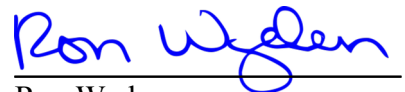
On July 14th, the four U.S. citizen children were released from detention to temporary guardians. These guardians are family friends, but not a substitute for the children’s parents. On July 16th, Ms. Merlos was transferred from CPB custody to ICE custody at the NWIPC. The temporary guardians live in the family’s hometown of Portland, nearly three hours away from the NWIPC, making it challenging for these young children to see their parents. This is the first and longest time they have ever been separated from their parents, causing significant hardship.

We urge you to give all fair and due consideration to Ms. Merlos’s request for release, given the termination of removal proceedings, to be reunited with her young children.

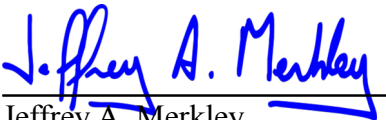
Sincerely,



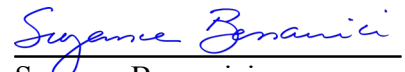
Maxine Dexter
Member of Congress



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Suzanne Bonamici
Member of Congress

³ Kenia Jackeline Merlos v. Kristi Noem et al., United States District Court Western District of Washington at Seattle; Case No. 2:25-cv-01309-TL-SKV

⁴ U.S. Customs and Border Protection, National Standards on Transport, Escort, Detention, and Search. (Oct 2015).

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CC: Charles Wall, Principal Legal Advisor; Erik Johnson, Deputy Field Office Director, Seattle Field Office; Scott Meyer, Acting Chief of Staff, Seattle Field Office

