

Congress of the United States

Washington, DC 20515

December 12, 2025

The Honorable Rand Paul

Chairman

Committee on Homeland Security & Governmental Affairs
United States Senate
Washington, D.C. 20510

The Honorable Gary C. Peters

Ranking Member

Committee on Homeland Security & Governmental Affairs
United States Senate
Washington, D.C. 20510

The Honorable Andrew R. Garbarino

Chairman

Committee on Homeland Security
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Bennie G. Thompson

Ranking Member

Committee on Homeland Security
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairs and Ranking Members:

We write to request the committees open a formal investigation into the developing pattern of abusive conduct and obstruction of congressional oversight by the U.S. Department of Homeland Security.

In a recent incident, DHS agents demonstrated an aggressive response that included the deployment of chemical agents during an operation in Tucson, Arizona, where Representative Adelita S. Grijalva presented herself as Member of Congress to use her legal authority and constitutional duty to obtain pertinent facts, observe policies, and conduct oversight of the executive's implementation of federal law. Upon arrival, Rep. Grijalva proceeded to an area occupied by clearly identified members of the media. Despite identifying herself as a Member of Congress and requesting information, agents indiscriminately deployed a chemical irritant on the crowd. An agent on the scene fired a projectile that burst with smoke upon impact directly at her feet; and another pushed aside Rep. Grijalva.

DHS agents are not exempt from public accountability, particularly during the exercise of constitutionally authorized oversight. Multiple accredited journalists were also directly sprayed

with a chemical agent, including a Univision reporter and a Tucson Sentinel reporter who was blindsided at close range while filming. These actions raise profound concerns regarding DHS's respect for First Amendment protections and the public's right to document federal law enforcement actions that may exceed or abuse authority.

On the same day, DHS issued a public statement denying the incident, which is inconsistent with independent press accounts, information from eyewitnesses, and video footage. Such contradictions further erode public trust in the Department and underscore the need for clear, transparent congressional review of its operations.

This episode is part of a growing and deeply concerning national pattern that raises serious questions about DHS' operations. Under the current administration, DHS personnel have repeatedly used force or obstructed elected officials and members of the press attempting to observe or inquire about enforcement actions and detention. The growing number of incidents collectively suggest a systemic disregard for oversight, transparency, and constitutional protections by DHS and its component agencies.

Pursuant to Congress's oversight responsibilities and constitutional legislative functions, we respectfully request that the House and Senate:

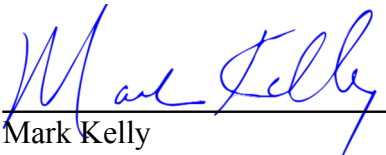
1. Open a formal investigation into DHS operations, specifically a review of the Department's use-of-force decisions and interactions with a sitting Member of Congress, journalists, and community members.
2. Require DHS to produce all body-camera, surveillance, and cell phone footage; after-action reports, operational briefings, and use-of-force records; copies of all search and arrest warrants executed during the operation; and communications and directives related to interactions with elected officials and the press.
3. Investigate the extent of DHS' obstruction of Congressional oversight, interference with the right of the press to document and report on DHS operations, excessive use of force tactics against American civilians, including the use of chemical agents and other extraordinary measures, and the impact these tactics have on businesses and local communities.
4. Obtain and review DHS policies, procedures, trainings, and guidance governing the use of chemical agents in public areas; crowd control measures; interactions with elected officials performing oversight; and interference with journalists and media access.
5. Hold a public hearing on the impact to communities that deployment of chemical agents against Americans by DHS has on public safety and public trust in government institutions, taking sworn testimony from DHS leadership, journalists and media organizations, and impacted community members.
6. Issue findings and policy recommendations to strengthen transparency, discipline, and accountability reforms within DHS to comply with and uphold U.S. law and constitutional protections.


No community should be subjected to federal enforcement tactics that undermine or erode public safety in favor of intimidation. No journalist should be pepper-sprayed for documenting public conduct. And no Member of Congress should be obstructed, physically pushed aside, or exposed to chemical agents while performing legitimate oversight functions on behalf of their constituents.


Federal agencies must remain accountable to the public not shielded from it. We urge the committees to act swiftly to restore transparency, reinforce constitutional protections, and ensure that DHS operates in the interest of public safety for community members, with restraint, professionalism, and respect for the rule of law.


Thank you for your attention to this matter.

Sincerely,


Mark Kelly
United States Senator


Ruben Gallego
United States Senator


Adelita S. Grijalva
Member of Congress


Greg Stanton
Member of Congress


Yassamin Ansari
Member of Congress