

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

September 19, 2019

The Honorable Glenn A. Fine  
Principal Deputy Inspector General  
U.S. Department of Defense - Office of Inspector General  
4800 Mark Center Drive  
Alexandria VA, 22350-1500

Dear Acting Inspector General Glenn A. Fine,

We write to urge you to investigate the misuse and politicization of United States military personnel and resources, including for potential legal and constitutional violations, at the U.S. southern border. Our concerns over lack of transparency in U.S. military missions at the border have only heightened as we've learned about the tragic death of two servicemembers while on mission at the southern border.

Despite numerous inquiries and requests from Congress, the Department of Defense and White House have been silent or not provided transparency into the rationale for its troop deployment to and military missions at the southern border. We are strongly concerned that President Trump's deployment of thousands of troops operating under dubious legal authorities and nebulous rules of engagement, is upending our democratic system and jeopardizing our communities.

We aim to ensure that our country keeps military and law enforcement separate, and we request an investigation into any potential violations of the Posse Comitatus Act. We urge any investigation to include consideration of the following questions and concerns:

1. Why and under what legal authority are Title 10 U.S. military forces deployed at the southern border and authorized to use lethal force and perform domestic law enforcement activities, such as crowd control, temporary detention, cursory search, mobile surveillance and detection?
2. Is the United States military violating the Posse Comitatus Act or other limitations on troops' participation in certain law enforcement activities? If not, please provide justification for your answer.
3. Have servicemembers been instructed or trained on how to engage with civilians, including asylum seekers and children, at the border? If so, what is the nature of the expected interaction and what training have these troops received prior to deployment and during their deployment?
4. What was the duration and location of such training prior to deployment?
5. Are servicemembers carrying assigned weapons and issued ammunition?
6. Why and under what legal authority are Defense Department funds and resources being used, or being assessed on whether to be used, to implement federal immigration policy,

including to operate, support, or facilitate any facility that detains or houses migrants and asylum seekers?

7. Did the Department of Defense request documentation from the Department of Homeland Security on the factors that were taken into consideration prior to requesting DOD support including any actions taken by DHS to attempt to complete their mission and tasks?

The misuse of U.S. military personnel and resources raises serious questions about legality and wasteful spending of taxpayer dollars. Military personnel at the border should not be delegated responsibilities outside of their scope. The blurred rules of engagement also erode fundamental laws and norms that keep the U.S. military separate from domestic law enforcement and risk further traumatizing and irreparably harming children and families who seek safety and asylum.

We refuse to allow our servicemembers in uniform to become pawns in the President's unnecessary and dangerous anti-immigrant political agenda. Congress and the American people deserve to know why our military forces are being politicized and whether the U.S. military is violating federal law under the President's orders.

We thank you in advance for your time and attention on this matter.

Sincerely,

  
Raúl M. Grijalva  
Member of Congress

  
Earl Blumenauer  
Member of Congress

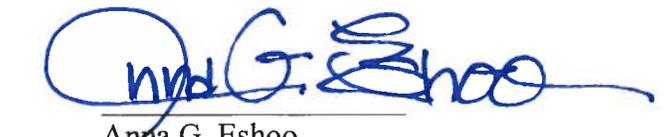
  
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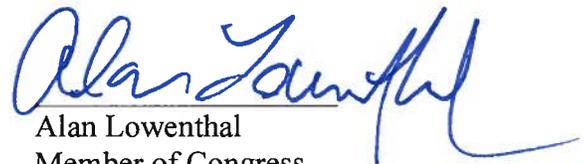
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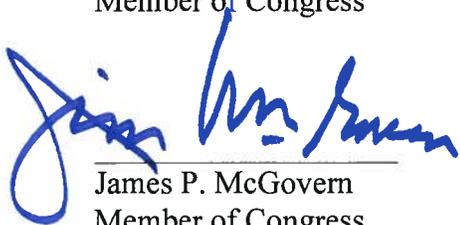
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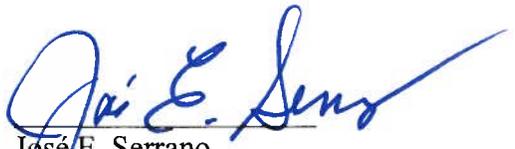


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Member of Congress



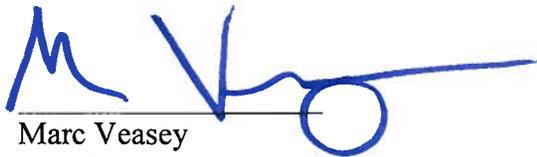
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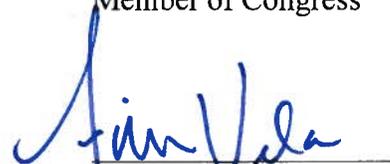
  
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