



**One Hundred Nineteenth Congress  
Committee on Homeland Security  
U.S. House of Representatives  
Washington, DC 20515**

December 10, 2025

The Honorable Gene Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G Street, NW Washington, D.C. 20548

Dear Comptroller General Dodaro:

Title 8 of the U.S. Code grants the Secretary of the Department of Homeland Security (DHS) broad authority to administer and enforce U.S. immigration laws such as by conducting immigration-related investigations and taking enforcement and removal actions. DHS has conferred upon employees from other federal agencies the authority to engage in immigration-related law enforcement.

On January 22, 2025, Acting Secretary of Homeland Security Benjamine C. Huffman issued a memorandum authorizing law enforcement employees of the Department of Justice to investigate, determine the location of, and apprehend any noncitizen in the United States in violation U.S. immigration laws or regulations, and enforce requirements of immigration statutes or regulations. Acting Secretary Huffman further stated that the intent of this order is to grant to law enforcement officers at the U.S. Marshals Service; the Drug Enforcement Administration; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Bureau of Prisons; and any other employee of the Department of Justice who obtains approval of the Attorney General, the same authority already granted to the Federal Bureau of Investigation (FBI).

ICE's Homeland Security Investigations (HSI) has also been instructed to assist ICE's Enforcement and Removal Operations' (ERO) arrests in the interior of the United States. While HSI has Title 8 authorities by law, its mission has long focused on criminal investigations. Nevertheless, the Trump Administration issued an Executive Order directing HSI to make its primary mission enforcing immigration law.

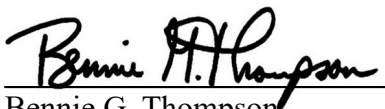
We are concerned that by granting immigration enforcement authority to these law enforcement employees and deprioritizing criminal investigations, these law enforcement personnel no longer have the capacity to conduct the important criminal investigations work they were hired to do, such as combating illegal gun and narcotics trafficking, investigating human trafficking and crimes against children, and ensuring the safety of our courts and prisons.

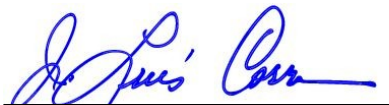
Given these concerns, we request that GAO study DHS's delegation of Title 8 authorities and federal law enforcement support to ICE ERO by addressing the following questions:

1. To which federal law enforcement agencies has DHS granted immigration enforcement authorities, and what immigration enforcement functions do these law enforcement agencies perform?
2. How many employees have been reassigned, detailed or ordered to support ICE ERO from those entities to which immigration enforcement authorities have been granted? Which units or offices within these law enforcement agencies are providing personnel to support ICE ERO?
3. How many employees from HSI and FBI have been reassigned, detailed or ordered to support ICE ERO? Which units or offices within HSI and FBI are providing personnel to support ICE ERO?
4. What has been the effect of granting immigration enforcement authorities and supporting ICE ERO operations, including the time employees from other law enforcement agencies spent on criminal investigations?
5. What has been the effect of changing HSI's primary mission to enforcing immigration law on HSI's criminal investigations, including the time HSI special agents spent on criminal investigations?
6. How has DHS provided oversight and direction to other federal law enforcement agencies to which it has granted immigration enforcement authority?
7. What guidance or training, if any, does DHS provide to federal law enforcement agencies to which DHS has granted immigration enforcement authorities?

Thank you for your assistance in this matter. If you have any questions, please have your staff contact the Committee on Homeland Security at 202-226-2616.

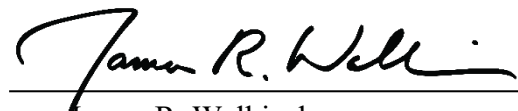
Sincerely,

  
Bennie G. Thompson  
Ranking Member

  
J. Luis Correa  
Ranking Member  
Subcommittee on Border  
Security and Enforcement

  
Seth Magaziner  
Ranking Member  
Subcommittee on  
Counterterrorism and Intelligence

  
Nellie Pou  
Member of Congress

  
James R. Walkinshaw  
Member of Congress