



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

February 6, 2026

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Noem:

The Department of Homeland Security’s (DHS) out-of-control use of force in communities across this country has resulted in injury, maiming, and death. Your Department has permanently injured and nearly killed innocent people on American streets even with so-called “less-lethal” weapons — those that are neither likely nor intended to cause death or serious injury, such as batons, chemical agents (e.g., pepper spray and tear gas), and kinetic impact munitions (e.g., rubber bullets).¹ However, less-lethal weapons can cause serious injuries and even death. We write to demand information about DHS’s misuse of these weapons on our communities.

In video footage recently made public, Gregory Bovino, the Border Patrol “commander-at-large” prior to his demotion, tells Border Patrol agents in Los Angeles, “Less-lethals, we’re going to look at shipping tractor-trailer loads of that shit in here.”² He makes this statement just after he enthusiastically proclaims, “Everybody fucking gets it they touch you. You hear what I’m saying.”³ It is clear that something is rotten at DHS, and law enforcement are using force—including “less-lethal” force—in ways that put everyone at risk.

Targeting the face or head with kinetic munitions may result in skull fracture and brain injury; damage to the eyes, including permanent blindness; or death.⁴ DHS’s lawless and aggressive enforcement operations throughout the country are proving just how dangerous less-lethal weapons can be, particularly when used improperly against those engaging in First Amendment activities. On January 16, 2026, a Federal judge in Minneapolis, Minnesota cited several incidents of ICE officers and agents using excessive force, including “gratuitously deploying chemical irritants at observers and protesters.”⁵ In one such incident, ICE agents opened their car

¹ U.S. Gov’t Accountability Off., GAO- 22-104470, Law Enforcement: Federal Agencies Should Improve Reporting and Review of Less-Lethal Force, 11-12 (2021).

² Jackeline Luna, *Video Shows Bovino Giving Orders to Federal Agents in Los Angeles*, N.Y. TIMES (Jan. 29, 2026), <https://www.nytimes.com/video/us/100000010676901/la-immigration-raids-greg-bovino.html>.

³ *Id.*

⁴ *Supra* note 1, 13.

⁵ Stephanie Saul, *In Minneapolis, a Pattern of Misconduct Toward Protesters*, N.Y. TIMES (Jan. 18, 2026), <https://www.nytimes.com/2026/01/18/us/minneapolis-federal-agents-misconduct-protesters.html>.

door while driving to pepper spray people standing on the side of the road.⁶ During a January 9, 2026, protest at a federal building in Santa Ana, California, a Federal Protective Service officer permanently blinded a college student, Kaden Rummler, after shooting him in the head with a less-lethal weapon.⁷ Rummler underwent a six-hour surgery but remains blinded in his left eye and shards of metal and pieces of plastic remain lodged in his skull. In June 2025, in Portland, Oregon, an emergency room nurse became a patient after he was struck in the face with a tear gas canister.⁸

In response to DHS's excessive use of less-lethal weapons to quell and disrupt protests, we request the following information and documents no later than February 20, 2026:

1. An inventory of all less-lethal weapons in the possession of DHS, to include the type of weapon and number in possession broken out by component.
2. An inventory of all less-lethal weapon munitions in the possession of DHS, including the type of munition and number in possession broken out by component.
3. A copy of the manual produced by the manufacturer for each less-lethal weapon in the possession of DHS.
4. All departmental and agency policies on the use of less-lethal weapons, such as standard operating procedures, directives, and handbooks.
5. All departmental and agency training materials and requirements for using less-lethal weapons, such as training policies, lesson plans, certification or qualification requirements, and presentation slides.
6. All departmental and agency reporting requirements for when less-lethal weapons are used, including the type of information that must be reported, as well as related reporting forms and procedures.
7. Copies of all use-of-force reports where less lethal weapons were used by DHS law enforcement personnel since January 20, 2025.
8. All departmental and agency policies and procedures for reviewing the use of less-lethal weapons to determine if the weapon was used in accordance with policy.
9. The results of any reviews (e.g., after action reports) or investigations conducted into the use of less-lethal weapons by DHS law enforcement personnel.
10. All operational plans, directives, orders, and planning documents for deployments since January 20, 2025, that identify roles, responsibilities, command and control structure, and direction given to DHS law enforcement personnel regarding the use of less-lethal weapons.

The Committee on Homeland Security is the principal committee of the House of Representatives with jurisdiction over the Department. Responses to the inquiries set forth in this letter will inform necessary legislative reforms on the topics covered in this letter. Your timely

⁶ *Id.*

⁷ Amy Taxin, *Protester blinded in one eye at OC protest is among string of violent run-ins with federal agents*, AP (Jan. 17, 2026), <https://abc7.com/post/protester-blinded-eye-orange-county-protest-is-among-string-violent-run-ins-federal-agents/18421601/>.

⁸ Graham Hurley, *Blood. Pain. Disorientation. Here's what protesters say 'less-lethal' weapons feel like*, CNN (Jan. 23, 2026), <https://www.cnn.com/2026/01/20/us/protestors-tear-gas-pepper-balls>.

and fulsome response will aid Congress in its constitutional duty to oversee DHS and protect people's constitutional rights and liberties.

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



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



Shri Thanedar
Ranking Member
Subcommittee on Oversight,
Investigations, and Accountability

cc: The Honorable Andrew R. Garbarino
Chairman, Committee on Homeland Security

The Honorable Michael Guest
Chairman, Subcommittee on Border Security and Enforcement

The Honorable Josh Brecheen
Chairman, Subcommittee on Oversight, Investigations, and Accountability