



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

September 24, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mullin:

As Members of the Committee on Homeland Security with jurisdiction over the Department of Homeland Security (DHS),¹ we are investigating the latest senseless shooting by a U.S. Immigration and Customs Enforcement (ICE) officer, as well as DHS's stated intent to deport the victim, Mr. Wilber Rafael Garces Perez, prior to the completion of an investigation into the shooting.² We write to demand that Mr. Garces Perez receive any necessary medical care without further delay and that he be allowed to remain in the U.S. pending a full, independent investigation into his shooting.

On September 20, 2026, an ICE officer in Austin, Texas shot 28-year-old Mr. Garces Perez in the back as he delivered a DoorDash order.³ According to his attorney, Mr. Garces Perez entered the country legally and has no criminal history.⁴ The bullet, which lodged near his spine, was not removed before he was placed in ICE detention.⁵ ICE did not inform Mr. Garces Perez's family of his whereabouts, but the family later discovered that ICE had transported him to the South Texas ICE Processing Center in Pearsall, Texas, 130 miles from Austin.⁶ Mr. Garces Perez arrived there on September 21 at approximately 4:00 a.m., only 13 hours after having been shot.⁷ Mr. Garces Perez recently stated, "I am not doing well because of the gunshot wound I received...I have not received the necessary medical attention."⁸ We insist that ICE ensure Mr. Garces Perez receive appropriate medical care without further delay.

¹ Section 3(g) of Rule X of the U.S. House of Representatives (119th Cong., 2025).

² Leah Sarnoff and Laura Romero, *ICE Officer shoots and injures delivery driver in Austin*. ABC NEWS, (Sept. 21, 2026), <https://abcnews.com/US/man-hospitalized-after-ice-involved-shooting-austin-officials/story>.

³ *Id.*

⁴ Giulia Carbonaro and Hollie Silverman, *Who is Rafael Garces Perez? DoorDash Worker Shot by ICE in Austin*, NEWSWEEK, (Sept. 21, 2026), <https://www.newsweek.com/who-is-wilber-rafael-garces-perez-doordash-worker-shot-by-ice-in-austin-12466039>.

⁵ *Id.*

⁶ *Id.*

⁷ Leah Sarnoff and Laura Romero, *ICE Officer shoots and injures delivery driver in Austin*. ABC NEWS, (Sept. 21, 2026), <https://abcnews.com/US/man-hospitalized-after-ice-involved-shooting-austin-officials/story>.

⁸ *Id.*

Also, we strongly oppose DHS's apparent rush to remove Mr. Garces Perez from the country. Under President Trump, DHS has shot and even killed multiple individuals and then lied about the circumstances of the shootings and the victims themselves. For example, just last month, an ICE officer was charged with shooting a Venezuelan man in Minnesota and lying about the circumstances to investigators.⁹ Two months ago, ICE agents fatally shot Lorenzo Salgado Araujo during a traffic stop in Houston and then falsely claimed he had drugs in vehicle.¹⁰ DHS officers also fatally shot Renee Nicole Good¹¹ and Alex Pretti¹², both American citizens, in Minneapolis, and DHS falsely accused them of being domestic terrorists. Marimar Martinez, a teaching assistant and U.S. citizen, was shot five times by Border Patrol while in her vehicle¹³ and then charged with a felony after DHS falsely accused her of attempting to ram agents with her vehicle.¹⁴ The case against Ms. Martinez was dismissed after video footage showed it was the Border Patrol agent who steered his vehicle into Martinez's vehicle.¹⁵ Given DHS's total lack of credibility in these cases, Mr. Garces Perez must be allowed to remain in the United States while an independent investigation into his shooting is completed.

Tragically, these are far from the only shooting incidents involving DHS law enforcement during President Trump's out-of-control immigration operations. According to The Trace, which tracks gun violence in America, there have been at least 31 incidents in which immigration agents shot at people since operations began last year.¹⁶ Violence and death at the hands of ICE officers have become normal operating procedure for the agency, and those responsible must be held accountable.

Therefore, we demand that you immediately turn over to the Committee the following information:

1. All video footage of the incident in question in DHS's possession, including any body-worn camera footage.
2. If there is no body-worn camera footage, an explanation of why such footage was not recorded.

⁹ Associated Press, *Bail set for ICE officer accused of lying and assault in non-fatal shooting in Minneapolis*, CNN, (Sept. 17, 2026), www.cnn.com/2026/09/17/us/ice-officer-christian-castro-charges-minnesota.

¹⁰ Lekan Oyekanmi, Jack Brook, and Jeffery Collins, *What to know about the fatal shooting of Lorenzo Salgado Araujo by ICE*, PBS NEWS, (Jul. 10, 2026), <https://www.pbs.org/newshour/politics/what-to-know-about-the-fatal-shooting-of-lorenzo-salgado-araujo-by-ice>.

¹¹ Tim Stelloh, Minyvonne Burke, & Selina Guevara, *Woman fatally shot by ICE officer remembered as 'one of the kindest people'*, NBC NEWS (Jan. 7, 2026), <https://www.nbcnews.com/news/us-news/renee-nicole-good-minneapolis-ice-shooting-victim-caring-neighbor-rcna252901>.

¹² Gaby Vinick, Chris Looft, Josh Margolin, Peter Charalambous, Camilla Alcini, *A minute-by-minute timeline of the fatal shooting of Alex Pretti involving federal agents*, ABC NEWS, (Jan. 26, 2026), <https://abcnews.com/Politics/minute-minute-timeline-fatal-shooting-alex-pretti-federal/story>.

¹³ Sophia Tareen, *Lawyers of Chicago woman shot by federal agents say documents show how DHS lies about investigations*, PBS NEWS, (Feb. 12, 2026), <https://www.pbs.org/newshour/politics/lawyers-of-chicago-woman-shot-by-federal-agents-say-documents-show-how-dhs-lies-about-investigations>.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Jennifer Mascia, *How many People Have Been Shot in ICE Raids*, THE TRACE, (Sept. 21, 2026), <https://www.thetrace.org/2025/12/immigration-ice-shootings-guns-tracker/>.

3. A list of all Federal, State and local law enforcement agencies present at the scene of the shooting, including the number of agents or officers present from each agency.
4. A description of any law enforcement markings or identification on the vehicles engaged in the pursuit of Mr. Garces Perez.
5. If lights or sirens on ICE vehicles were utilized during the operation, a description of when these were turned on during the encounter with Mr. Garces Perez.
6. A description of the identification the Federal law enforcement officers were wearing at the scene of the shooting.
7. A description of how the Federal law enforcement officers on scene identified themselves to Mr. Garces Perez.
8. Information on the current employment status and years of service of the ICE officer who shot Mr. Garces Perez, to include whether he or she was placed on administrative duty following the shooting.
9. If the ICE officer was placed on administrative duty following the shooting, indicate whether the officer is still on administrative leave and how many days the officer was placed on administrative duty for.
10. A list and description of any previous complaints against or use of force incidents involving the ICE officer who shot Mr. Garces Perez.
11. Evidence of injuries, if any, to the ICE officer who shot Mr. Garces Perez.
12. Evidence of damage to the vehicles, if any, involved in the pursuit and arrest of Mr. Garces Perez.
13. Evidence of damage to Mr. Garces Perez's vehicle, to include all damage from weapons.
14. Information regarding whether Mr. Garces Perez was an initial target of the ICE enforcement operation, to include an explanation, if relevant, for how ICE determined Mr. Garces Perez was an enforcement target.
15. If Mr. Garces Perez was not an initial target of the operation, a description of when and why he became a target during the operation.
16. A description of what, if any, communications ICE had with medical personnel responsible for the treatment of Mr. Garces Perez. The response should include the following information:
 - The name of the treating hospital;
 - The time of admittance and discharge;
 - Did ICE prevent, limit, or influence in any manner, Mr. Garces Perez's physicians' treatment plans?
 - Why did ICE deem it necessary to transport Mr. Garces Perez to an ICE detention facility in the middle of the night?
 - Did any of Mr. Garces Perez's treating physicians' consent to his discharge? If so, who?
17. Information regarding if the shooting is being investigated both criminally and administratively, to include, if relevant, the agency that is conducting each type of investigation.

In addition to our demand for immediate records production, this letter serves as notice of an ongoing congressional investigation and that you are to preserve, in accordance with all applicable Federal laws, all records relating to this use of force incident, as well as any future incidents in which use of force results in death or serious bodily harm.

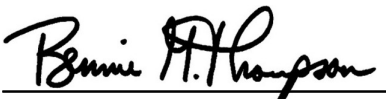
As you are aware, the Federal Records Act (FRA) requires that all departments and agencies in the Executive Branch collect, retain, and preserve records that contain “informational value.”¹⁷ Under 44 U.S.C. § 3101, the head of each Federal agency is required to “make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency.” Pursuant to 44 U.S.C. § 3301(a) (2), these protections extend to all types of information, whether stored physically, digitally, or electronically. As such, this requirement encompasses such items as tweets and all other forms of social media posts as well as press releases, among other records.

Federal officials and employees who violate the FRA are subject to criminal penalties. Under 18 U.S.C. § 2071(b), any agency employee who “willfully and unlawfully” conceals, removes, mutilates, obliterates, destroys, or attempts any such action against a Federal record, is subject to fine and/or imprisonment for up to three years. In addition, any Federal office holder convicted of violating the FRA can lose his or her position and can be disqualified from holding future Federal office. Moreover, under 44 U.S.C. § 3106(b), you have a responsibility to notify the Archivist of any actual, impending, or threatened unlawful action against records at your agency.

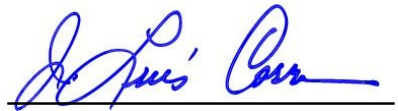
As part of the Committee’s oversight, the Committee expects to receive, by October 1, 2026, assurances in writing that DHS records, documents, data, and information have not been and will not be destroyed, modified, removed, transferred, or otherwise rendered inaccessible.

Thank you for your attention to and compliance with these matters.

Sincerely,



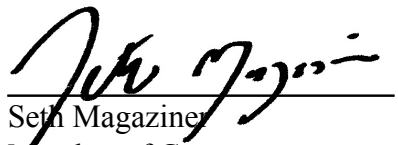
Bennie G. Thompson
Ranking Member



J. Luis Correa
Member of Congress



Shri Thanedar
Member of Congress



Seth Magaziner
Member of Congress

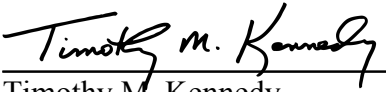
¹⁷ 44 U.S.C. § 3301(a)(1)(A).



Dan Goldman
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