



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

May 22, 2026

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

Dear Secretary Mullin:

We write again regarding our increasing concerns with the Department of Homeland Security's (DHS) use of less-lethal weapons. On February 6, 2026, we wrote to your predecessor outlining specific instances when DHS law enforcement officers used less-lethal weapons in a manner that injured and maimed individuals observing and protesting the Trump administration's occupation of American cities.¹ In response to the Department's excessive use of force against U.S. citizens exercising their First Amendment rights, we requested information and several documents, including an inventory of DHS's less-lethal weapons, all policies on utilizing such weapons, and the results of any investigations into the use of less-lethal weapons, among other things.² We still await your Department's response.

On May 7, 2026, *ProPublica* reported new details on the injuries caused by DHS's use of less-lethal weapons, including the harms to children.³ *ProPublica* identified 79 children affected by tear gas or pepper spray—their symptoms included difficulty breathing, burning skin, and rashes.⁴ Rather than taking any accountability for the inappropriate and excessive use of less-lethal weapons on kids, DHS's response was to blame parents and falsely paint them as “agitators.”⁵ The overwhelming evidence counters this characterization—video evidence shows pepper spray being fired into a vehicle occupied by a one-year-old, and a law enforcement officer in Portland has testified that pepper spray was fired into a peaceful crowd.⁶

Such a callous response also does not account for the children and their families impacted simply by being in the vicinity of DHS's dragnet immigration enforcement operations. It is well known

¹ Letter from Ranking Member Bennie Thompson, Committee on Homeland Security, et al. to Secretary Kristi Noem, Dept. of Homeland Security (Feb. 6, 2026).

² *Id.*

³ Lisa Song, Maya Miller, Melissa Sanchez, and Mariam Elba, *Kids Are Being Harmed by Tear Gas, Pepper Spray Under Trump. There Could Be Long-Term Consequences.*, PROPUBLICA (May 7, 2026), <https://www.propublica.org/article/kids-tear-gas-trump-immigration-crackdown>.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

that the chemical irritants produced by less-lethal weapons quickly form a cloud that can spread to unintended targets.⁷ Families living near the detention facility in Broadview, Illinois, where protests were occurring were routinely exposed to the tear gas that seeped inside their homes.⁸ The same was true of families living near the detention facility in Portland, Oregon. In response to lawsuits filed by families living in those areas, U.S. District Court Judges restricted DHS's use of chemical munitions. One Judge noted in her order that DHS displayed a "protracted failure even to care."⁹

In response to the harm DHS has needlessly and callously inflicted upon children, we request responses to the following by June 5, 2026:

1. To what extent has DHS studied or researched the toxic effects on children of less-lethal weapons that release chemical irritants, including pepper ball projectiles and tear gas canister? How have any such studies or research influenced DHS's policies and training on using less-lethal weapons?
2. Please provide copies of any DHS directives, policies, or guidance documents governing the use of less-lethal weapons when children are present or in the vicinity of such weapons.
3. Please provide copies of any DHS training materials addressing the use of less-lethal weapons when children are present or in the vicinity.

We also request immediate responses to the overdue requests in our February 6, 2026, letter.

Per Rule X of the U.S. House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy and has special oversight functions of "all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security."

Thank you for your prompt attention to this matter.

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security

⁷ *Health Impacts of Crowd-Control Weapons: Chemical Irritants (Tear Gas and Pepper Spray)*, PHYSICIANS FOR HUMANS RIGHTS (Jan. 1, 2017), <https://phr.org/our-work/resources/health-impacts-of-crowd-control-weapons-chemical-irritants-tear-gas-and-pepper-spray/>.

⁸ *Supra* note 3.

⁹ *Id.*



J. Luis Correa
Ranking Member
Subcommittee on Border
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Shri Thanedar
Ranking Member
Subcommittee on Oversight,
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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