

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

March 31, 2026

VIA EMAIL

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528

Dear Secretary Mullin,

I write regarding your testimony during your confirmation hearing before the United States Senate Committee on Homeland Security and Governmental Affairs concerning a May 12, 2025 policy memorandum from Acting Director of U.S. Immigration and Customs Enforcement (ICE) Todd Lyons. As discussed during that hearing, Director Lyons issued a memorandum that purports to authorize ICE immigration officers to enter private property to arrest and detain aliens subject to a final order of removal relying only on a non-judicial, administrative warrant. In response to my question regarding whether you would disavow this policy if you were confirmed as Secretary of the Department of Homeland Security, you stated: “a judicial warrant will be used to go into houses, into place of businesses unless we are pursuing someone that enters in that place.”¹ Additionally, in response to a question for the record that I submitted to you following the hearing about whether you would rescind the policy, you stated: “If confirmed, I will review existing policies and ensure the Department’s guidance and practices are consistent with the Constitution and applicable law regarding warrants.”²

Given these representations and your recent swearing in as Secretary, I write to request confirmation that you have officially rescinded the memorandum issued by Acting ICE Director Lyons regarding the use of administrative warrants to enter private property, as well as any other guidance to ICE or CBP personnel that instructs them to enter private property without a judicial warrant.

¹ *Hearing on Nomination of the Honorable Markwayne Mullin to be Secretary, U.S. Department of Homeland Security*, S. Comm. On Homeland Sec. and Governmental Affairs, 119th Cong. (March 18, 2026) (Testimony of Markwayne Mullin).

² *Hearing on Nomination of the Honorable Markwayne Mullin to be Secretary, U.S. Department of Homeland Security*, S. Comm. On Homeland Sec. and Governmental Affairs, 119th Cong. (March 18, 2026) (Question for the Record for Markwayne Mullin from Senator Richard Blumenthal).

Thank you for your attention to this matter.

Sincerely,



Richard Blumenthal
Ranking Member
Permanent Subcommittee on Investigations

cc: Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, D.C. 20536

The Honorable Ron Johnson
Chairman
Permanent Subcommittee on Investigations