

Congress of the United States

Washington, DC 20515

March 24, 2026

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

Dear Secretary Mullin,

We write regarding troubling reports that individuals who are current recipients of Deferred Action for Childhood Arrivals (DACA) have been arrested or placed into removal proceedings despite holding active work authorization.

According to U.S. Citizenship and Immigration Services, more than 530,000 individuals currently maintain active DACA protections nationwide.¹ These young people live, work, and raise families in communities across our country. To obtain and renew DACA, applicants must submit fingerprints and biometric information and undergo repeated Federal Bureau of Investigation (FBI) and Department of Homeland Security (DHS) background checks. Individuals convicted of a felony, a significant misdemeanor such as domestic violence or driving under the influence, or three or more misdemeanors are ineligible for protection. In short, DACA recipients are screened for public safety concerns and are re-vetted every two years to maintain their status. However, recent communications from your department show a troubling pattern of DHS targeting DACA recipients.

By design, DACA recipients are not enforcement priorities absent serious criminal conduct. DHS targeting and detaining DACA individuals who have complied with every requirement of the program leads us to believe that federal resources are not being directed towards genuine public safety threats. DACA recipients contribute to communities in every corner of America. They are starting families, teaching our children, caring for our sick, and strengthening the communities they have called home their entire lives. DHS's actions raise serious questions about whether federal enforcement resources are being directed toward genuine public safety threats.

DHS has provided Congress with contradictory figures on DACA arrests, calling into question the integrity of the agency's record-keeping. On January 12, 2026, in response to a letter to 95 members of congress, former Secretary Noem stated that between January 1, 2025, and September 28, 2025, ICE had arrested 270 DACA recipients, claiming that 250 of these individuals had criminal histories. However, according to public reporting, in a letter to U.S.

¹ [Program: Deferred Action for Childhood Arrivals \(DACA\) | migrationpolicy.org](https://www.migrationpolicy.org/program/deferred-action-childhood-arrivals)

Senators, she also claimed that between January 1, 2025, and November 19, 2025, ICE had arrested 261 DACA recipients, claiming that 241 of these individuals had criminal histories.² It is unclear how ICE arrested more DACA recipients in a nine month window when compared to an eleven month window. These inconsistent figures raise serious concerns about the accuracy and reliability of DHS's reporting to Congress and warrant additional clarification.

Accordingly, we request responses to the following:

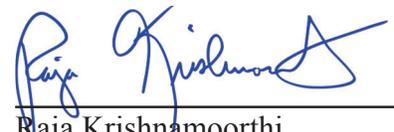
1. Since January 2025, how many DACA recipients who did not have a criminal conviction or criminal charge have been removed from the United States?
2. How many DACA recipients and applicants have been convicted of a violent felony offense prior to their detention? Please provide a breakdown by offense category.
3. Have any DACA recipients or applicants been arrested under the Laken Riley Act? If so, how many?
4. Are officers required to verify active DACA status prior to initiating detention or removal proceedings? If so, what procedures are in place to ensure compliance?
5. Please provide a list of detention facilities that ICE has used to detain DACA recipients and the number of DACA recipients held in the facility since January 2025 and currently.
6. How does DHS define "criminal history" for purposes of its public reporting? Does this definition include arrests without conviction, dismissed charges, traffic infractions, or civil immigration violations?

The American people expect transparency and consistency from their government. Accurate reporting to Congress is essential to ensure that enforcement resources are focused on individuals who pose legitimate threats to public safety. We look forward to your prompt response.

Sincerely,



Joaquin Castro
Member of Congress



Raja Krishnamoorthi
Member of Congress

² [ICE arrested 261 DACA recipients over 10 months last year, document shows - CBS News](#)

Sylvia R. Garcia

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