

United States Senate
WASHINGTON, DC 20510-2004

July 30, 2020

The Honorable John Barrasso
Chairman
U.S. Senate Committee on Environment and
Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Thomas R. Carper
Ranking Member
U.S. Senate Committee on Environment and
Public Works
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper,

We write to you with grave concerns about the Trump Administration's treatment of protesters in Portland, Oregon and other cities around the country. The scenes that our nation is witnessing in Portland, in which federal law enforcement agents have been deployed to arrest and detain protesters, are deeply disturbing. They show a federal government engaged in a disproportionate response to residents exercising their First Amendment rights.

These actions are of direct interest to the Senate Environment and Public Works Committee, as the administration has predicated its actions on Section 1315 of Title 40 of the U.S. Code., regarding the law enforcement authority of Homeland Security for the protection of federal property. As the Senate committee with jurisdiction over public buildings and responsibility for oversight of the General Services Administration, EPW has an important role in seeking answers about the decision-making process that led to its actions in Portland, execution of such "protection actions," and how the administration may seek to replicate this activity in other cities.

It is unfathomable that any administration would deploy federal law enforcement personnel to arrest and detain protesters on the scale we have seen in Portland based on a tenuous claim of protecting public buildings—both on and off federal proprieties. Legitimate protection of federal property should not be misused to abuse the civil rights of Americans and sow division and fear among our citizens.

We urge you to exercise our committee's oversight role and get to the root of how these law enforcement officers are being used and whether or not they are working within the law. We are requesting an EPW oversight hearing to allow members to hear from the relevant agencies, including the General Services Administration and Homeland Security, about their use of 40 U.S.C. Sec. 1315 in Portland and elsewhere.

We appreciate your urgent attention to this matter, and we look forward to your prompt response.

Sincerely,

/s/ Benjamin L. Cardin

Benjamin L. Cardin
United States Senator

/s/ Jeffrey A. Merkley

Jeffrey A. Merkley
United States Senator

/s/ Bernard Sanders

Bernard Sanders
United States Senator

/s/ Sheldon Whitehouse

Sheldon Whitehouse
United States Senator

/s/ Kirsten Gillibrand

Kirsten Gillibrand
United States Senator

/s/ Cory A. Booker

Cory A. Booker
United States Senator

/s/ Edward J. Markey

Edward J. Markey
United States Senator

/s/ Tammy Duckworth

Tammy Duckworth
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator