

United States Senate

WASHINGTON, DC 20510

October 10, 2025

The Honorable Peter B. Hegseth
Secretary of Defense
U.S. Department of Defense

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security

Cc:

The Honorable Adam Telle
Assistant Secretary of the Army for Civil Works
Office of the Assistant Secretary
108 Army Pentagon
Washington, D.C. 20310-0108

Dear Secretary Hegseth and Secretary Noem:

We write to urge you to reverse the use of and refrain from future use of the Chicago Harbor Lock—a U.S. Army Corps of Engineers (USACE) Civil Works facility—for Federal immigration enforcement operations conducted by the U.S. Department of Homeland Security (DHS), without the consent of the local elected officials and a formal memorandum of understanding with USACE.

According to recent reports, personnel, vessels and vehicles associated with U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) have been observed staging at and near the Harbor Lock with armed personnel as part of what this administration is calling “Operation Midway Blitz,” a dangerous and imprecise enforcement action in the Chicago area. The use of the Chicago Harbor and its infrastructure as a staging ground for armed Federal operations undermines public trust and risks politicizing Federal assets and agencies.

This is yet another example of the U.S. Department of Defense diverting military assets and facilities from their own critical missions. We are deeply troubled by how these DHS actions in the Chicago Harbor Lock and Dam will affect the activities of USACE that the local community relies on and the public’s trust of USACE.

The Chicago Harbor Lock and Dam is a vital piece of civil infrastructure designed for navigation, commerce, flood control and environmental stewardship. It is critical to facilitating safe boat traffic between the Chicago River and Lake Michigan, for American citizens and companies, not border control or immigration operations.

Sending armed Federal officers into Chicago Harbor Lock USACE Civil Works water infrastructure facilities to advance armed patrols down the Chicago River—one of the safest

locations in the City—is not an effective or legitimate immigration or border control measure. DHS's use of this infrastructure strikes confusion and fear in American communities and has the potential to erode the trust of the public in the services USACE provides.

USACE Civil Works and its infrastructure are intended to improve navigable channels, reduce flood and storm damage, restore aquatic ecosystems, provide hydropower, manage recreational areas and ensure water supplies for irrigation and municipalities. This campaign in Chicago by CBP and ICE does not appear to be a lawful, coordinated, transparent or mission-aligned use of federal infrastructure. These actions serve as another example of removing a core Department of Defense (DOD) mission for non-military purposes.

Utilizing any of USACE Civil Works facilities, including Chicago Harbor Lock, for CBP and ICE immigration enforcement operations, raises serious concerns about statutory authority, mission alignment and transparency. This is not the purpose of USACE Civil Works, nor is it the purpose of their properties, facilities, employees or programs.

We are further concerned by reports that CBP and ICE's use of the USACE facilities was not coordinated between agencies or local authorities. Expanding the mission of USACE facilities in such an egregious manner should require written documentation, such as a memorandum of understanding, that lays out guardrails on appropriate activities by these two very different agencies with different legal governing frameworks. To not even have completed such basic coordination is highly reckless. This is one of the busiest locks in the country and failing to coordinate is at best reckless and at worst legally questionable.

This administration has demonstrated unprecedented disregard towards our country's laws and norms, undermining the American people's rights and our democracy itself. The surge of Federal law and immigration enforcement activity in Chicago has been conducted in an ad hoc, unprofessional manner that dodges constitutionally established oversight and accountability to the citizens of this country. We urge DOD and DHS to immediately cease the use of any USACE facilities for immigration or border patrol enforcement purposes. DOD and DHS should specifically refrain from using the USACE Civil Works Chicago Harbor Lock facilities and the Chicago River as a staging area to demonstrate force in pursuit of partisan ends instead of our national interest. This use undermines the integrity of the Chicago District and the entire USACE Civil Works mission.

To better understand the nature and scope of the use of this property and coordination with state and local officials, we request responses to the following questions:

1. Has DoD officially approved DHS use of the USACE Chicago Harbor Lock or any other USACE Civil Works facility in Illinois for law enforcement purposes? If so, please provide us with documentation of this explicit decision, authorization and the locations of these sites.
2. Please provide DHS's plan and justification for their operations at and from this location, Chicago Harbor Lock and the Chicago River, including duration, types of activities, number and roles of DHS personnel, and planned staging or usage of platforms and

vessels. Please also provide any guidelines provided to DHS and DoD officials about the bounds of allowable activities by DHS officials at any USACE sites.

3. Was USACE given appropriate prior notification of the use of the Chicago Harbor Lock or any other Illinois USACE Civil Works facility by DHS for law enforcement purposes? When was this notification given? If yes, please specify the date and provide documentation of the notification.
4. Are the terms of this arrangement codified in a memorandum of understanding or similar agreement between DoD and DHS? If yes, please provide us with documentation of these agreements.
5. What statutory or regulatory authority governs such use?
6. Will USACE make public any agreements, memoranda or communications related to this coordination?
7. USACE's specialized operations and functions require significant regulations and training to operate safely in the Chicago Harbor Lock and environs. Are DHS personnel intended to operate in or near USACE infrastructure required to undergo specific training to operate safely in and around a major lock and major commercial waterways? Please provide details, documentation and materials related to this training.
8. Has USACE or DHS conducted any environmental, operational or public impact assessments related to this activity? Will such inspections be conducted after these operations cease? Please provide findings of these assessments.
9. Who would be responsible for any Federal or state regulatory violations or damage resulting from these operations?
10. Are there any other USACE sites in or near Chicago that DHS or DoD are currently discussing allowing DHS officials to occupy or operate out of? If so, please provide documentation of all related correspondence between DoD and DHS.

Please provide a written response by October 20, 2025. If you have any questions, please contact our offices.

Sincerely,



Tammy Duckworth
United States Senator



Richard J. Durbin
United States Senator