

United States Senate

WASHINGTON, DC 20510

February 4, 2026

Kash Patel
Director
Federal Bureau of Investigation
Washington, DC 20535

Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Director Patel and Secretary Noem:

I write to request the immediate removal of any U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) agents from the Federal Bureau of Investigation (FBI) investigation into the deadly shooting of Mr. Alex Pretti by Border Patrol agents. I also ask that ICE HSI agents transfer all evidence and investigative materials to the FBI before departing the ongoing investigation.

Following the FBI's initial decision to *not* open an investigation into the deadly shooting of Mr. Pretti, the reported removal of the Acting Special Agent in Charge of the FBI Minneapolis Field Office and the unusual mass resignation of Federal prosecutors from the U.S. Attorney's Office for the District of Minnesota—who reportedly objected to the Trump administration's efforts to prevent an investigation into the deadly shooting of Ms. Renee Good by an ICE officer—the American people are reasonably questioning whether FBI agents will be allowed to conduct a thorough, objective and independent investigation into the killing of Mr. Pretti.

Allowing ICE HSI agents—who were reportedly instructed to investigate the homicide victim, Mr. Pretti, and bystanders, for potential crimes, rather than the U.S. Border Patrol agents who fatally shot Mr. Pretti and detained witnesses—to participate in the recently launched FBI investigation will destroy public confidence its credibility and objectivity. If FBI is concerned about resources, the appropriate action would be to request additional support from FBI field offices, the U.S. Department of Justice (DOJ) Civil Rights Division and the independent U.S. Department of Homeland Security (DHS) and DOJ Offices of Inspectors General.

The bottom line is that ICE HSI agents lack the experience, expertise and independence to conduct credible use of force investigations involving DHS law enforcement officers and must be removed from the FBI investigation into the killing of Mr. Pretti by Border Patrol agents.

Sincerely,



Tammy Duckworth
United States Senator