

Congress of the United States

Washington, DC 20515

June 23, 2025

The Honorable Pete Hegseth
Secretary of Defense
1400 Defense Pentagon
Washington, DC 20301

The Honorable Pamela Bondi
Attorney General
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Kristi Noem
Secretary of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, DC 20528

Secretary Hegseth, Attorney General Bondi, and Secretary Noem:

In response to unprecedented immigration raids in Los Angeles last week, which targeted individuals at their places of work and in their communities, citizens began to assemble and protest their government. The right to protest our government is explicitly protected under the First Amendment. While the vast majority of these protestors were peaceful, some instigators took the opportunity to engage in unlawful behavior. Many of those individuals were arrested by state and local law enforcement.

Despite the situation being controlled by state and local law enforcement, President Trump saw an opportunity to amplify the crisis of his own creation by unilaterally and unlawfully federalizing and deploying 4,000 California National Guard troops to the streets of Los Angeles. In addition, he deployed 700 active-duty United States Marines. The President did this without the consultation of local elected officials, law enforcement, and the Governor of California.

The Constitution and federal law provide limitations on the domestic use of the National Guard. Article I, Section 8, Clauses 15 and 16 provide that Congress has the authority to organize, arm, and call the militia to execute laws, suppress insurrections, and repel invasions.¹ Congress has delegated some of its authority to the President including under 10 U.S.C. § 12406, which the administration cited as its legal justification.²

This authority contains specific procedures and conditions for when the President can federalize and deploy the National Guard. This includes:

the President may call into Federal service members and units of the National Guard of any State in such numbers as he considers necessary to repel the invasion, suppress the rebellion, or execute those laws.

Orders for these purposes shall be issued through the governors of the States or, in the case of the District of Columbia, through the commanding general of the National Guard of the District of Columbia.³

¹ U.S. Const. art. I, § 8, cls. 15–16

² Memorandum from the President, *Department of Defense Security for the Protection of Department of Homeland Security Functions*, at 1 (June 7, 2025),

<https://www.whitehouse.gov/presidential-actions/2025/06/departments-of-defense-security-for-the-protection-of-department-of-homeland-security-functions/>

³ 10 U.S.C. § 12406(3)

At no time did the Governor of California issue orders to the California National Guard as required by federal law. The actions of President Trump appear to be in clear violation of the plain text of the statute.

We therefore are calling for an immediate investigation into whether federal law was violated in federalizing and deploying the National Guard to Los Angeles. We also are calling for a full investigation and review of the legal checks and processes carried out prior to the execution of a military order to ensure such orders are lawful.

The federal government, including the executive branch, is constrained by the powers given to it in the Constitution and federal statute. It is imperative that actions taken by this administration, like all administrations, fall within the bounds of the law.

Thank you for your immediate consideration and we expect an appropriate response to these questions in the near future.

Sincerely,



Mike Thompson
Member of Congress



Nancy Pelosi
Member of Congress



Norma J. Torres
Member of Congress



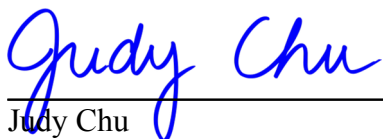
Nanette Diaz Barragán
Member of Congress



Ami Bera, M.D.
Member of Congress



Julia Brownley
Member of Congress



Judy Chu
Member of Congress



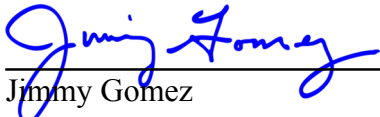
J. Luis Correa
Member of Congress



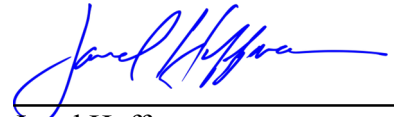
Mark DeSaulnier
Member of Congress



Robert Garcia
Member of Congress



Jimmy Gomez
Member of Congress



Jared Huffman
Member of Congress



Ted W. Lieu
Member of Congress



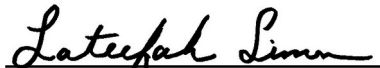
Doris Matsui
Member of Congress



Jimmy Panetta
Member of Congress



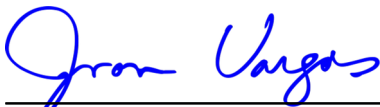
Brad Sherman
Member of Congress



Lateefah Simon
Member of Congress



Eric Swalwell
Member of Congress



Juan Vargas
Member of Congress