

Congress of the United States

Washington, DC 20510

September 2, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Mullin,

We write, once again, regarding the case of Nurul Amin Shah Alam, a refugee with legal status who died in Buffalo, New York earlier this year following release from Department of Homeland Security (DHS) custody. Specifically, we demand that DHS fully comply with the Erie County District Attorney's investigation into the circumstances surrounding this tragedy, and provide any and all requested information to local authorities. Given the District Attorney's clear authority to investigate a death within its jurisdiction that has since been ruled a homicide, it is incumbent upon DHS – legally and morally – to provide local Erie County law enforcement with any and all information available in its pursuit of justice for Mr. Shah Alam and his family.

As you know, Mr. Shah Alam was reported missing earlier this year in Buffalo, several days after DHS released him outside a closed Tim Horton's coffee shop on February 19th, 2026. Tragically, on February 24th, he was found deceased, miles from where he was initially released by federal authorities. Immediately following his death, our offices, other U.S. Members of Congress, New York Attorney General Letitia James, and local authorities demanded a full recounting of the circumstances surrounding Mr. Shah Alam's death, transparency from DHS, and accountability as a result of any negligence. Officials across all levels of government recognized the disturbing nature of this death and took immediate steps to seek answers from DHS for Mr. Shah Alam's family, the local community, and refugees across the U.S. We have sent multiple oversight letters requesting an independent investigation into this case. This included inquiries directed to the Department's Office of the Secretary, U.S. Customs and Border Protection, and the Office of Health Security.

Alarmingly, six months later, we have yet to receive a single meaningful or substantive response from DHS with information about Mr. Shah Alam, despite clear investigative and oversight authority as afforded by Article I of the U.S. Constitution. Earlier this year, Attorney General James' Office of Special Investigation opened an investigation into Mr. Shah Alam's death, and experienced similar challenges with DHS compliance, reporting that U.S. Customs and Border Protection declined to share any information or records with the attorney general's office.¹ Across multiple levels of government, there has been a clear effort by the Department to obfuscate facts and block any meaningful oversight.

Accordingly, given DHS's outright refusal to cooperate with congressional and state-led efforts to ensure that Mr. Shah Alam's case receives a full, independent, and thorough review, it is imperative that your Department comply fully, wholly, and meaningfully with the Erie County District Attorney's investigation. A tragedy of this magnitude must never occur again, and a critical part of this promise owed to the American people is ensuring that DHS holds itself – and any responsible party – accountable for any violations of the law. A federal agency

¹ "Criminal inquiry into refugee's death dropped by NY AG due to jurisdiction." Buffalo Toronto Public Media, August 11, 2026.
<https://www.wskg.org/2026-08-11/criminal-probe-into-refugees-death-dropped-by-new-york-ag-due-to-jurisdiction>

that claims to be upholding the rule of law cannot ignore earnest, independent efforts by local law enforcement to do the very same.

Sincerely,

A handwritten signature in blue ink that reads "Timothy M. Kennedy". The signature is fluid and cursive, with the first name being the most prominent.

Timothy M. Kennedy
Member of Congress (NY-26)

A handwritten signature in blue ink that reads "Bennie G. Thompson". The signature is fluid and cursive, with the last name being the most prominent.

Bennie G. Thompson
Ranking Member, Committee on Homeland
Security