



U.S. Department of Justice
Civil Division

Office of the Assistant Attorney General

Washington, DC 20044

May 12, 2026

Attorney General Aaron Frey
State of Maine
6 State House Station
Augusta, ME 04333

Dear Attorney General Frey,

It has come to my attention that Maine's Bureau of Motor Vehicles is refusing to issue undercover license plates to Federal law enforcement agencies in Maine unless those agencies certify that the registered vehicle will not be used for civil immigration enforcement, while continuing to issue such plates to state and local law enforcement agencies without a similar certification. This discriminatory policy is not only deeply dangerous as a matter of public safety but also blatantly unlawful as a matter of constitutional law. It should be immediately withdrawn; otherwise, the United States intends to seek judicial relief.

The policies of Maine's Bureau of Motor Vehicles undermine ongoing investigations and put federal law enforcement officers at risk of harm. Federal law enforcement officers conduct investigations into myriad serious crimes, including drug trafficking, weapons trafficking, human trafficking, terrorism, and fraud. The investigation into such crimes and the criminal enterprises involved often require covert surveillance and undercover activities. Federal law enforcement officers' duties also include locating missing children, apprehending fugitives, safeguarding people under federal protection, and transporting dignitaries. If federal law enforcement vehicles are readily identifiable, either by a government plate or through a state plate and registration that is subject to public exposure through an information request, then officers, their families, and people under their protection will all be at risk. Officers could be identified and tracked to their homes. Suspects could be alerted to officer presence and flee, destroy evidence, or take countermeasures to avoid arrest, making arrests more dangerous for all involved. Persons under officers' protection could be endangered. Such threats are particularly troubling in the current environment, in which federal officers have been the target of threats, doxing, and harassment.¹

¹ Press Release, ICE Officers Face an 8,000% Increase in Death Threats Against Them and Their Families (Jan. 26, 2026), <https://www.dhs.gov/news/2026/01/26/ice-officers-face-8000-increase-death-threats-against-them-and-their-families>; Press Release, Bounties Originating From Mexico Offered to Shoot ICE

The State's discriminatory policy is also plainly unconstitutional under well-established precedent. The Supremacy Clause of the United States Constitution mandates that "[t]his Constitution, and the Laws of the United States . . . shall be the supreme Law of the Land . . . any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." U.S. Const. art. VI, cl. 2. As the Supreme Court has long held, the Supremacy Clause incorporates principles of intergovernmental immunity; accordingly, a state law or policy is invalid if it "regulat[es] the United States directly or discriminat[es] against the Federal Government or those with whom it deals," *United States v. Washington*, 596 U.S. 832, 838 (2022) (citation omitted). By refusing to issue undercover plates to Federal law enforcement agencies unless those agencies certify that the registered vehicle will not be used for civil immigration enforcement, while continuing to issue undercover plates to similarly-situated state and local law enforcement agencies without restriction, Maine's Bureau of Motor Vehicles has directly run afoul of the Supremacy Clause by discriminating against the federal government.

It is not clear to me that you support, or are even aware of, this change in policy by Maine's Bureau of Motor Vehicles. Nonetheless, the policy is manifestly unconstitutional and puts our officers at risk. I therefore ask that you require Maine's Bureau of Motor Vehicles to rescind this policy immediately and return to issuing undercover plates to all federal law enforcement agencies (including but not limited to Homeland Security Investigations, Immigration and Customs Enforcement, and Customs and Border Protection), on equal terms with every other state and local law enforcement agency, without delay and without further restrictions.

Please provide me with written assurance that this policy has in fact been rescinded and *all* federal law enforcement are again able to obtain undercover plates in your state on equal terms by no later than **May 22, 2026**. Absent such an assurance, the United States reserves all rights.

Sincerely yours,

**BRETT
SHUMATE**

Digitally signed by BRETT SHUMATE
Date: 2026.05.12 14:23:25 -0400

Brett A. Shumate
Assistant Attorney General
Civil Division

and CBP Officers in Chicago (Oct. 14, 2025), <https://www.dhs.gov/news/2025/10/14/bounties-originating-mexico-offered-shoot-ice-and-cbp-officers-chicago>; ICE, California man accused of doxxing ICE employee now in custody (Sep. 26, 2025), <https://perma.cc/F9YE-EU73>; Associated Press, *Federal prosecutors charge 3 activists with 'doxing' of ICE agent in Los Angeles*, PBS (Sep. 29, 2025 14:15 ET), <https://perma.cc/55RN-PP5H>; <https://www.dhs.gov/news/2025/12/09/dhs-arrests-new-jersey-twins-who-threatened-shoot-ice-officers-sight-and-hang>.