



U.S. Department of Justice
Civil Division

Office of the Assistant Attorney General

Washington, DC 20044

May 12, 2026

The Honorable Maura Healey
Governor of Massachusetts
Massachusetts State House, 24 Beacon St.
Office of the Governor, Room 280
Boston, MA 02133

Dear Governor Healey,

It has come to my attention that the Massachusetts Registry of Motor Vehicles (RMV) is refusing to issue confidential/undercover registrations and license plates to Immigration and Customs Enforcement (ICE) and are issuing them to Homeland Security Investigations (HSI) only after they certify that the vehicles will only be used in criminal investigations. By contrast, the RMV continues to issue such plates without restrictions to other federal, state, and local agencies. 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 It should be immediately withdrawn; otherwise, the United States intends to seek judicial relief.

Massachusetts's RMV policies undermine ongoing investigations and put federal law enforcement officers at risk of harm. ICE officers and HSI Special Agents conduct investigations into serious federal crimes, including criminal immigration offenses. These investigations often require covert surveillance and undercover activities. 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 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

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 registrations and plates to certain federal law enforcement agencies, while continuing to issue them to similarly-situated federal, state, and local law enforcement agencies without restriction, Massachusetts's RMV has directly run afoul of the Supremacy Clause by discriminating against the federal government.

This policy is manifestly unconstitutional and puts our officers at risk. I therefore ask that you require Massachusetts's RMV to rescind this policy immediately and return to issuing undercover registrations and license plates to all federal law enforcement agencies on equal terms with every other state and local agency, without delay and 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 14:24:32 -04'00'

Brett A. Shumate
Assistant Attorney General
Civil Division

cc: Andrea Campbell, Massachusetts Attorney General
1 Ashburton Place, 20th Floor
Boston, MA 02108

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>.