

**Congress of the United States**  
**Washington, DC 20515**

March 14, 2025

The Honorable Kristi Noem  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave SE  
Washington, D.C. 20528

The Honorable Marco Rubio  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Secretary Noem and Secretary Rubio:

We write to express our grave concern over the constitutionally dubious use of an obsolete Cold War-era section of the Immigration and Nationality Act to have federal agents pick up a lawful permanent resident at his home, arrest him, and detain him simply for exercising his First Amendment right to free speech.

The Administration does not allege that Mr. Khalil has committed any crime nor that he has ever been charged with a crime.<sup>1</sup> Instead, the Trump Administration is relying on vague language in the Immigration and Nationality Act to strip Mr. Mahmoud Khalil of his green card by claiming his speech has somehow had ambiguous “foreign policy consequences” for the United States.<sup>2</sup> And the Administration has failed to provide any explanation of what deleterious foreign policy consequences Mr. Khalil has caused by exercising his free speech rights.

This deployment of a dusty old statutory section to punish speech is a dangerous attack on both the First Amendment and on all, including lawful permanent residents, who enjoy its protection. This maneuver evokes the Alien and Sedition Acts and McCarthyism. It is the playbook of authoritarians, not of elected officials in a democratic society who claim to be champions of free speech.

The First Amendment provides in pertinent part that “Congress shall make no law...abridging the freedom of speech...”<sup>3</sup> The Constitution guarantees everyone in our country, including lawful permanent residents, the right to speak freely without fear of retribution from the government. The Supreme Court has found that political speech receives the greatest protection because “debate on public issues should be robust, uninhibited, and wide-open.”<sup>4</sup> While this case is

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<sup>1</sup> Gabe Kaminsky, *et. al.*, *The ICE Detention of a Columbia Student is Just the Beginning*, THE FREE PRESS (Mar. 10, 2025), <https://www.thefp.com/p/the-ice-detention-of-a-columbia-student>.

<sup>2</sup> Edward Wong, *et. al.* *Trump Administration Seeks to Expel a Green-Card Holder Over Student Protests*, N.Y. TIMES (Mar. 10, 2025), <https://www.nytimes.com/2025/03/10/us/trump-rubio-khalil-columbia-student-protests.html>; Immigration and Nationality Act (INA) § 237(a)(4)(C); Dep’t of Homeland Security, Notice to Appear for Mahmoud Khalil (Mar. 9, 2025) <https://www.washingtonpost.com/documents/8a3cbff6-4589-43e1-8455-042fa9555e3c.pdf>.

<sup>3</sup> U.S. Const. amend. I.

<sup>4</sup> *Snyder v. Phelps*, 562 U.S. 443, 452 (2011) (quoting *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)).

ostensibly about Mr. Khalil's political speech about the war in Gaza, the case raises far broader concerns across the country about the silencing of political dissent. Weaponizing the immigration system to crush and chill protected free speech puts our nation on the side of authoritarian leaders like Vladimir Putin and Xi Jinping. We urge you to turn back before you suffer another stinging loss in court and visit terrible damage on the country.

We request that you respond to the following questions no later than March 27, 2025:

1. How many times has section 237(a)(4)(C) been used to place a lawful permanent resident in removal proceedings in the last 25 years?
2. What "reasonable grounds," including specific evidentiary grounds, did Secretary Rubio rely on to conclude that Mr. Khalil's "presence or activities in the United States ... would have potentially serious adverse foreign policy consequences for the United States?"
3. What specific "potentially serious adverse foreign policy consequences" did Secretary Rubio conclude Mr. Khalil's presence or activities in the United States posed?
4. Given that administration officials have told media that Mr. Khalil has not committed a crime, have you notified Congress of your use of this authority?

We further request that you provide, no later than March 27, 2025, any documents, including legal memoranda, setting forth the "reasonable grounds" for Secretary Rubio's finding that Mr. Khalil's "presence or activities in the United States would have potentially serious adverse foreign policy consequences for the United States," including the specific legal and evidentiary bases for this finding.

While there may be disagreement with Mr. Khalil's speech, it is his Constitutional right in our democracy to express his political views. That is why every American should be outraged by this brazen attempt to use the power of the United States government to silence and punish people who do not agree with the sitting President. President Trump has said Mr. Khalil's arrest and attempted removal is the "first of many." Silencing dissent is the work of despots, not democracies.

Sincerely,



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Pramila Jayapal  
Ranking Member  
Subcommittee on  
Immigration Integrity,  
Security, and Enforcement



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Jamie Raskin  
Ranking Member  
House Committee on the  
Judiciary



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Mary Gay Scanlon  
Member of Congress



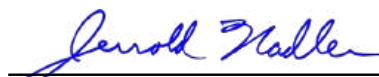
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James P. McGovern  
Member of Congress



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Nancy Pelosi  
Member of Congress



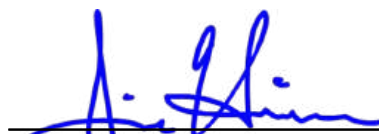
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Jerrold Nadler  
Member of Congress



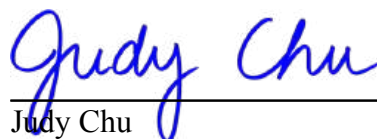
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Yvette D. Clarke  
Member of Congress



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Jim Himes  
Member of Congress



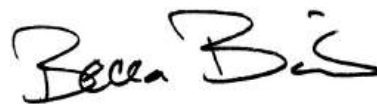
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Judy Chu  
Member of Congress



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Alexandria Ocasio-Cortez  
Member of Congress



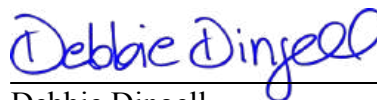
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Becca Balint  
Member of Congress



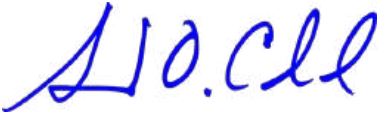
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Madeleine Dean  
Member of Congress



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Debbie Dingell  
Member of Congress



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Salud Carbajal  
Member of Congress



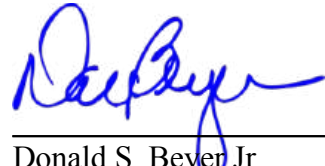
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Lloyd Doggett  
Member of Congress



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Jan Schakowsky  
Member of Congress



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Donald S. Beyer Jr.  
Member of Congress



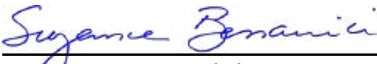
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Adriano Espaillat  
Member of Congress



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Troy A. Carter, Sr.  
Member of Congress



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Suzanne Bonamici  
Member of Congress



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Dwight Evans  
Member of Congress



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Jesús G. "Chuy" García  
Member of Congress



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Andre Carson  
Member of Congress



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Betty McCollum  
Member of Congress



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Chrissy Houlahan  
Member of Congress



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Greg Casar  
Member of Congress



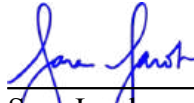
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Valerie P. Foushee  
Member of Congress



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Gerald E. Connolly  
Member of Congress



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Sara Jacobs  
Member of Congress



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Emanuel Cleaver, II  
Member of Congress



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Sean Casten  
Member of Congress



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Ro Khanna  
Member of Congress



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Joaquin Castro  
Member of Congress



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Veronica Escobar  
Member of Congress



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Sam T. Liccardo  
Member of Congress



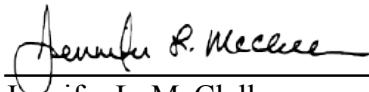
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Nanette Diaz Barragán  
Member of Congress



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Stephen F. Lynch  
Member of Congress



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Jennifer L. McClellan  
Member of Congress



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Ami Bera, M.D.  
Member of Congress



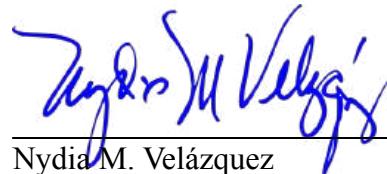
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Eleanor Holmes Norton  
Member of Congress



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Gwen S. Moore  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



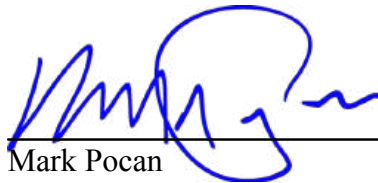
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Ilhan Omar  
Member of Congress



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Jared Huffman  
Member of Congress



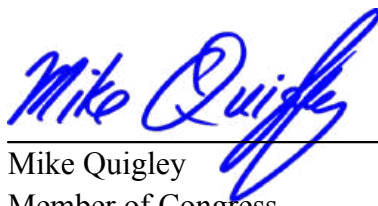
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Mark Pocan  
Member of Congress



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Danny K. Davis  
Member of Congress



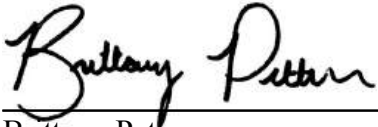
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Mike Quigley  
Member of Congress



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Val Hoyle  
Member of Congress



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Brittany Pettersen  
Member of Congress



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Jonathan L. Jackson  
Member of Congress



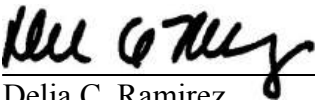
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Kevin Mullin  
Member of Congress



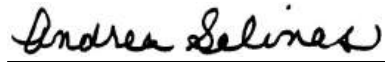
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Diana DeGette  
Member of Congress



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Delia C. Ramirez  
Member of Congress




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Andrea Salinas  
Member of Congress



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Steve Cohen  
Member of Congress



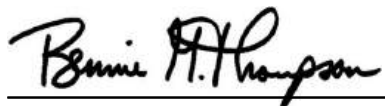
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Maxine Dexter  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



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Bennie G. Thompson  
Member of Congress



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Rashida Tlaib  
Member of Congress



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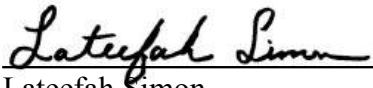
Summer L. Lee  
Member of Congress



Sydney Kamlager-Dove  
Member of Congress



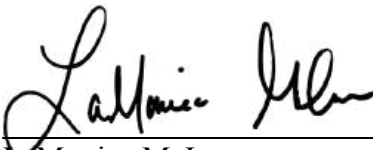
John Garamendi  
Member of Congress



Lateefah Simon  
Member of Congress



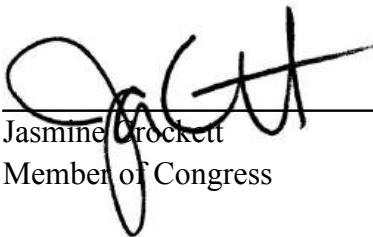
Ayanna Pressley  
Member of Congress



LaMonica McIver  
Member of Congress



Jim Tokuda  
Member of Congress



Jasmine Crockett  
Member of Congress



Paul D. Tonko  
Member of Congress



Mark DeSaulnier  
Member of Congress



MARK TAKANO  
Member of Congress

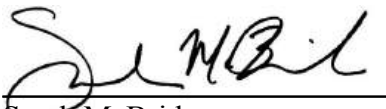


Maxine Waters  
Member of Congress

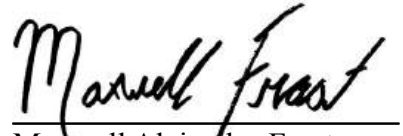


Suhas Subramanyam  
Member of Congress






Sarah McBride  
Member of Congress



Maxwell Alejandro Frost  
Member of Congress



Melanie Stansbury  
Member of Congress



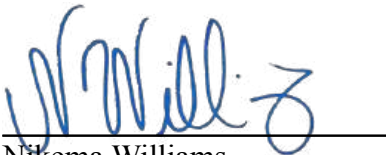
Bonnie Watson Coleman  
Member of Congress



Emily Randall  
Member of Congress



Zoe Lofgren  
Member of Congress



Nikema Williams  
Member of Congress



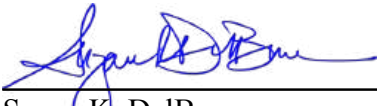
Robert Garcia  
Member of Congress



Laura Friedman  
Member of Congress



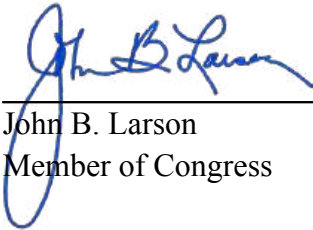
Al Green  
Member of Congress  
Scion of the Enslaved  
Africans -  
Sacrificed to Make America  
Great



Suzan K. DelBene  
Member of Congress



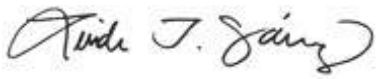
Chellie Pingree  
Member of Congress



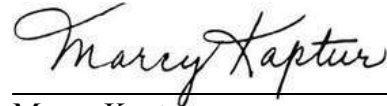
John B. Larson  
Member of Congress



Mike Thompson  
Member of Congress



Linda T. Sánchez  
Member of Congress



Marcy Kaptur  
Member of Congress



Lori Trahan  
Member of Congress



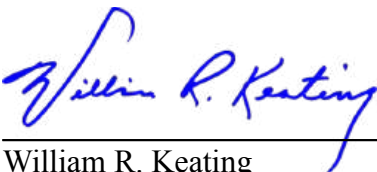
Adam Smith  
Member of Congress



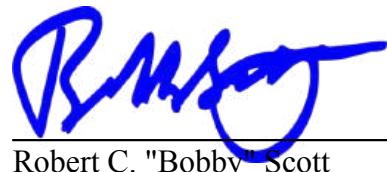
Herbert C. Conaway, Jr.  
Member of Congress



Deborah K. Ross  
Member of Congress



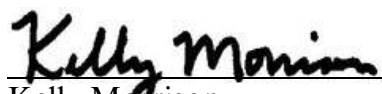
William R. Keating  
Member of Congress



Robert C. "Bobby" Scott  
Member of Congress



Dave Min  
Member of Congress



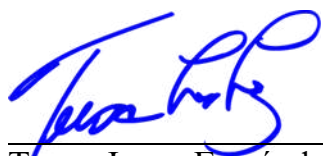
Kelly Morrison  
Member of Congress



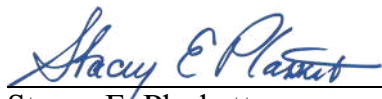
Jahana Hayes  
Member of Congress



Morgan McGarvey  
Member of Congress



Teresa Leger Fernández  
Member of Congress



Stacey E. Plaskett  
Member of Congress



Julie Johnson Member  
of Congress



Nellie Pou  
Member of Congress