

United States Senate

WASHINGTON, DC 20510

April 4, 2025

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue NW
Washington DC 20500

Dear President Trump:

Last week, Tufts University Ph.D. candidate Rumeysa Ozturk was arrested and placed in an unmarked car by unknown agents in plainclothes—some masked—claiming to be police. The agents did not identify themselves or give Ms. Ozturk any information for her arrest and detention.¹ By the time a judge could issue an order to keep her in Massachusetts, she had been transferred to an immigration detention facility in Louisiana. We understand Ms. Ozturk’s case to be a part of a pattern of retaliatory action to punish lawful immigrant and foreign students for publicly expressing opinions that your Administration opposes. This effort threatens the fundamental right to engage in free speech and expression under the First Amendment of the United States Constitution.

On March 6, the State Department reportedly began a “Catch and Revoke” initiative to use artificial intelligence to review the social media accounts of lawful immigrant and foreign students and revoke their green cards or visas, giving immigration enforcement authorities a basis to detain and deport them.² On March 8, federal authorities arrested Mahmoud Khalil, a recent graduate of Columbia University and lawful permanent resident.³ White House officials made clear that he broke no laws, and Mr. Khalil was not issued any official notice explaining why he was subject to removal until after his arrest.⁴ To justify his arrest and detention, Secretary of State Marco Rubio invoked a rarely used authority that allows him to deport a noncitizen for “beliefs, statements, or associations” if he “personally determines” that there is a “compelling foreign policy interest” for such deportation.⁵

Congress intended for this authority to “be used sparingly and not merely because there is a likelihood that [a noncitizen] will make critical remarks about the United States or its policies.”⁶ Yet, federal agents have arrested noncitizens (including lawful permanent residents) around the

¹ Niha Masih, Anumita Kaur, Frances Vinall and Julie Yoon, [Tufts student from Turkey detained by masked officers, video shows](#), The Washington Post (Mar. 27, 2025).

² Marc Capito, [Scoop: State Dept. to use AI to revoke visas of foreign students who appear “pro-Hamas”](#), Axios (Mar. 6, 2025); 8 U.S.C. 1227(a)(1)(B).

³ Santul Nerkar and Mark Bonamo, [Tug of War Continues Over Where to Hear Khalil Deportation Case](#), The New York Times (Mar. 28, 2025).

⁴ *Id.* and [Department of Homeland Security Notice to Appear for Mahmoud Khalil](#), dated Mar. 9, 2025.

⁵ [Tug of War Continues Over Where to Hear Khalil Deportation Case](#); 8 U.S.C. 1227(a)(4)(C); 8 U.S.C. 1182(a)(3)(C)(iii).

⁶ H.R. Conf. Rep. No. 101-955, 101st Cong., 2nd Sess. (1990), reprinted in 1990 U.S.C.C.A.N. 6784, 6794.

country in retaliation for political affiliations or activity.⁷ Secretary Rubio admitted that he has revoked the visas of hundreds of students for First-Amendment protected speech that is disfavored by the current Administration.⁸

The First Amendment protects both citizens and noncitizens in the United States from being targeted by the government for their political speech, even if we strongly disagree with their views.⁹ Noncitizens like Mr. Khalil and Ms. Ozturk have the constitutional right to freedom of expression, including taking part in demonstrations and publicly expressing opinions critical of government policy.

Ideas are not illegal, and there is no controversial speech exception to the First Amendment. No president should be allowed to exclude or remove people from our country simply because they disagree with their political speech. In the words of Justice Robert H. Jackson, “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion [...]”¹⁰

We call on you to abandon this effort, release all those targeted solely for political activities protected by the First Amendment, and immediately terminate all removal proceedings against those individuals. No one is above the law, and even you must uphold and respect the fundamental American values of free speech and political dissent.

Sincerely,



Richard J. Durbin
United States Senator
Ranking Member, Senate
Committee on the Judiciary



Bernard Sanders
United States Senator
Ranking Member, Committee
on Health, Education, Labor,
and Pensions

⁷ See, e.g., Jonah E. Bromwich and Hamed Aleaziz, [Columbia Student Hunted by ICE Sues to Prevent Deportation](#), The New York Times (Mar. 24, 2025).

⁸ [Tufts student from Turkey detained by masked officers, video shows](#).

⁹ U.S. Const. Amend. I.; *Bridges v. Wixon*, 326 U.S. 135 (1945).

¹⁰ *W. Va. State Bd. Of Ed. V. Barnette*, 319 U.S. 624, 642 (1943).