



March 10, 2025

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

The Honorable Pamela Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
Office of the Executive Secretary
Mail Stop 0525
Washington, DC 20528

Mr. Todd Lyons
Acting Director, ICE Leadership
U.S. Immigration and Customs
Enforcement
500 12th St., SW
Washington, DC 20536

Dear Secretary Rubio, Attorney General Bondi, Secretary Noem, and Acting Director Lyons:

On March 8, agents from the Department of Homeland Security arrested Mahmoud Khalil, a lawful permanent resident of the United States who has been involved in activism related to the current conflict in Gaza.¹ According to Mr. Khalil's attorney, the agents who arrested him initially said his visa had been revoked.² Upon being informed that Mr. Khalil is a lawful permanent resident, whose status therefore cannot be revoked by unilateral DHS action, the agents arrested him anyway. When Mr. Khalil's attorney asked to see a warrant for his arrest, DHS declined to produce one.³ As of this writing, Mr. Khalil remains in DHS detention.

Mr. Khalil recently received a graduate degree from Columbia University, where he has participated in student protests intended to express opposition to policies of the U.S. and Israeli governments. On March 9, DHS stated that Mr. Khalil's arrest was made "in support of President Trump's executive orders prohibiting anti-Semitism," and that "Khalil led activities aligned to Hamas, a designated terrorist organization."⁴ Secretary Rubio, alluding to Mr. Khalil's arrest, stated, "We will be revoking the visas and/or green cards of Hamas

¹ Ginger Adams Otis, *ICE Arrests Columbia Student Who Helped Lead Pro-Palestinian Protests*, WALL ST. J. (March 9, 2025, 10:07 pm), <https://www.wsj.com/us-news/education/dhs-detains-columbia-student-who-helped-lead-pro-palestinian-protests-fbbd8196>.

² Eliza Shapiro, *Immigration Authorities Arrest Pro-Palestinian Activist at Columbia*, N.Y. TIMES (March 9, 2025), <https://www.nytimes.com/2025/03/09/nyregion/ice-arrests-palestinian-activist-columbia-protests.html>.

³ *Canada's New Leader, ICE Arrest Columbia Student, Congress and The Budget*, NPR (March 10, 2025, 6:05 AM), <https://www.npr.org/transcripts/1237260282>.

⁴ Homeland Security (@DHSgov), X (March 9, 2025, 9:29PM), <https://x.com/DHSgov/status/1898908955675357314>.

supporters in America so they can be deported.”⁵ On March 10, President Trump remarked on Mr. Khalil’s arrest, noting that the government intends to seek removal of any foreign students who engage in “pro-terrorist, anti-Semitic, anti-American activity.”⁶

Demonstrations occurring on Columbia’s campus since Oct. 7, 2023, have included both constitutionally protected speech and unlawful conduct, but the government has not made clear the factual or legal basis for Mr. Khalil’s arrest. The statements the government has released suggest its decision may be based on his constitutionally protected speech. This lack of clarity is chilling protected expression, as other permanent residents cannot know whether their lawful speech could be deemed to “align to” a terrorist organization and jeopardize their immigration status.

The federal government must not use immigration enforcement to punish and filter out ideas disfavored by the administration. It must also afford due process to anyone facing arrest and detention, and must be clear and transparent about the basis for its actions, to avoid chilling protected speech. To that end, we request answers to the following questions:

- What was the specific legal and factual basis for Mr. Khalil’s arrest on March 8?
- What is the specific legal and factual basis for Mr. Khalil’s detention?
- What is the specific legal and factual basis on which you are seeking revocation of Mr. Khalil’s green card?
- Will Mr. Khalil be afforded the due process protections required by U.S. law?
- Is it your intention to seek the revocation of lawful immigration status on the basis of speech protected by the First Amendment?⁷

We request a substantive response to this letter no later than close of business on Tuesday, March 11, 2025. Any delay in resolving these questions risks further chilling protected speech.

Sincerely,



Carolyn Iodice
Legislative and Policy Director
Foundation for Individual Rights and Expression

⁵ Marco Rubio (@marcorubio), X (March 9, 6:10PM), <https://x.com/marcorubio/status/1898858967532441945>.

⁶ Donald Trump (@realDonaldTrump), Truth Social (March 10, 2025, 1:05PM), <https://truthsocial.com/@realDonaldTrump/posts/114139222625284782>.

⁷ Note there is no categorical exception to the First Amendment for speech that “aligns to” or even expresses explicit support for a foreign terrorist organization.