

Congress of the United States
Washington, DC 20515

June 27, 2025

The Honorable Marco Rubio
Secretary
Department of State (DOS)
2201 C Street, NW
Washington, DC 20520

The Honorable Kristi Noem
Secretary
Department of Homeland Security (DHS)
Washington, DC 20528

Dear Secretary Rubio and Secretary Noem:

We write to request key information and documents pertaining to the case of Georgetown postdoctoral fellow Dr. Badar Khan Suri, who was detained by Immigration and Customs Enforcement (ICE) on March 17th. Specifically we seek the following: from the State Department, the attachments cited in the March 15th memo issued by the Secretary presenting the finding that Dr. Khan Suri's presence and activities in the United States would have potentially serious adverse foreign policy consequences and would compromise a compelling U.S. foreign policy interest, including "Tab 1- DHS Letter on Badar Khan Suri" and "Tab 2- HSI Subject Profile of Badar Khan Suri" and the time and content of the notice provided to relevant Congressional committees; and from the Department of Homeland Security, Dr. Khan Suri's I-213, his Notice of Custody Determination, the documented reasons for the detainee transfer, context pertaining to Assistant Secretary for Public Affairs Tricia McLaughlin's March 19th comments as well as context pertaining to how Dr. Khan Suri was identified by DHS.

Dr. Badar Khan Suri held J-1 visa status as a visiting scholar and postdoctoral fellow at Georgetown University at the Alwaleed Bin Talal Center for Muslim-Christian Understanding. He was duly admitted to the United States on this visa in December 2022. He is married to a U.S. citizen, with whom he has three children: a nine-year-old son and five-year-old twins—a boy and a girl. At the time of his arrest, he was teaching a course as an adjunct professor on Majoritarianism & Minority Rights in South Asia at Georgetown University. He has spent his life studying peace and conflict resolution and hopes to become a university professor and embark on a career in academia and teaching. Dr. Khan Suri and his wife moved to the United States because it ensures religious freedom for all, and they wanted to raise their children in a society that values religious tolerance.ⁱ

Dr. Khan Suri was charged with removability under the Immigration and Nationality Act (INA) § 237(a)(4)(C)(i) and detained pursuant to INA § 236(a).ⁱⁱ Masked and physically unidentifiable

Homeland Security agents arrested Suri at approximately 9:30 p.m. in Arlington, Virginia on the evening of March 17, 2025 pursuant to a Warrant for Arrest of Alien, Form I-200.ⁱⁱⁱ The Constitution establishes due process rights for “all ‘persons’ within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent.”^{iv} The government has not disclosed information to support that the detention of Mr. Suri was justified. It has not demonstrated that Mr. Suri—a husband to a U.S. citizen, a father of three young children, and with no criminal history—needed to be detained. An ICE officer involved in his booking stated that they knew he was not a criminal and did not do anything wrong.

The law limits the government’s authority to deport people under INA § 237(a)(4)(C)(i) and imposes key requirements in such instances. The Executive Branch does not have the authority to deny visas to foreigners solely because of the foreigner’s political beliefs or because of their anticipated speech in the United States. When Congress passed the Moynihan Amendment in 1987, the Senate Committee warned that “[f]or many years the United States has embarrassed itself by excluding prominent foreigners from visiting the United States solely because of their political beliefs...individuals had done no more than exercise rights to freedom of expression and association...constitutionally protected for all U.S. citizens.”^v The Secretary’s authority to determine that entry would compromise foreign policy interests should be used “sparingly and not merely because there is a likelihood that an alien will make critical remarks about the United States or its policies, and that the “compelling foreign policy interest” standard should be applied strictly.”^{vi}

If a reasoning has been made on foreign policy grounds, the Secretary of State cannot exclude or condition entry based on a noncitizen’s “past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States,” unless the Secretary personally certifies to Congress that admitting the individual would compromise a compelling U.S. foreign policy interest.^{vii} Therefore, we request the full and complete March 15th memo, including all attachments that describe Secretary Rubio’s finding that Dr. Khan Suri’s presence or activities in the United States would have potentially serious foreign policy consequences for the United States and would compromise a compelling United States foreign policy interest. We also require the notice (including when it was provided and justification therein) provided to the Chairs of the Committees on the Judiciary and Foreign Affairs of the House of Representatives and of the Committees on the Judiciary and Foreign Relations of the Senate.

Department policy also requires additional procedures for detainees in custody of the Department of Homeland Security. ICE Policy 11022.1, “Detainee Transfers,” prohibits the transfer of individuals from one Field Office’s area of responsibility to another if, inter alia, they have immediate family, an attorney of record, pending or ongoing removal proceedings within the area, or if they have been granted bond or requested a bond hearing, unless a Field Office Director or their designee deems the transfer necessary for one of the seven specific reasons identified in the policy.^{viii} The policy states that “[t]he Immigration Officer will conduct a review

to determine whether any of these factors exist. Before a transfer is made in a case where one or more of these factors exist, the transfer must be approved at the Assistant Field Office Director level or higher, and the reasons for the transfer must be documented in the detainee's A-File. The policy also states that ICE is required to notify the attorney of record that the individual "is being transferred and include the reason for the transfer and the name, location, and telephone number of the new facility as soon as practicable on the day of the transfer, but in no circumstances later than twenty-four (24) hours after the transfer occurs." Please provide the documented reasons for the transfer of Dr. Khan Suri.

Additionally, ICE Directive 11064.3, "Interests of Noncitizen Parents and Legal Guardians of Minor Children or Incapacitated Adults" requires the Field Office Director to refrain from transferring detained noncitizens outside of the Field Office's area of responsibility where their child or children are located unless dictated by exceptional circumstances or court order. Even when transfer is dictated, the Field Office Director must place the noncitizen as close as practicable to the minor child or children.^{ix} At the time of his transfer to Louisiana and then Texas, Dr. Khan Suri had a wife and three young children, and an attorney of record, in Virginia. Please share the justification provided either by exceptional circumstances or the court order provided for the transfers to Louisiana and Texas as well as the justification for how Texas was determined to be as close as practicable.

On March 19, DHS Assistant Secretary for Public Affairs McLaughlin posted on X that "Suri was a foreign exchange student at Georgetown University actively spreading Hamas propaganda and promoting antisemitism on social media. Khan Suri has close connections to a known or suspected terrorist, who is a senior advisor to Hamas." Please share any and all evidence, if you possess it, to the activities referred to in this post, accompanied by clarification of which activities were used as supporting information for his detention and under what grounds it was included.

In addition, as part of Dr. Khan Suri's detention, he was issued a Notice of Custody Determination and an I-213. Please provide those documents in full. In each of these requests for documentation, we ask that you also provide assurance of authentication for each document. In the event that documentation does not exist and therefore cannot be produced, please indicate as such. In the event that documentation contains classified information, please indicate and provide a vehicle through which Members and Congressional staff with appropriate security clearance can view such information in a congressional SCIF.

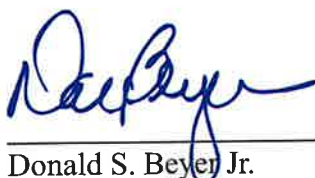
Lastly, it would appear as if DHS targeted Dr. Khan Suri because of his identification by Canary Mission, a group that is involved in a McCarthyistic doxxing campaign towards individuals and their associates that champion pro-Palestinian viewpoints. In another recent case, a district court judge found DHS and DOS acted on a tweet from Betar and pressure from Canary Mission to strip someone of a student visa.^x Please share if information identified by or communication by/with Betar, Canary Mission, Middle East Forum, or another outside group was used as

evidence or support in the case of Dr. Khan Suri. If yes, what steps were taken to authenticate their evidence.

Dr. Khan Suri is a scholar on conflict resolution who has no criminal record, and the Administration has made no credible argument to support his arrest and detention. His arrest and detention appear to violate Dr. Khan Suri's constitutional rights, including the First Amendment and the Due Process Clause of the Fifth Amendment. The Administration must explain and document its actions in this case, which appear to have flagrantly abused and possibly violated statutory authorities, and which have hitherto been carried out with a disturbing lack of transparency to the public.

The Administration has done nothing to demonstrate its claims that Dr. Badar Khan Suri is a threat to the public, or to justify holding him with minimal outside contact 1,300 miles away from his wife and young children. This situation is intolerable, and demands urgent and speedy remedy, and we therefore request a response no later than July 11, 2025.

Sincerely,



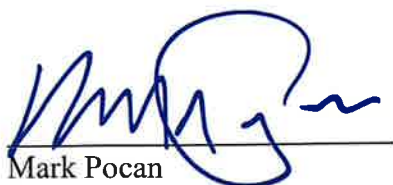
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Member of Congress



Eleanor Holmes Norton
Member of Congress



Pramila Jayapal
Member of Congress



Mark Pocan
Member of Congress




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

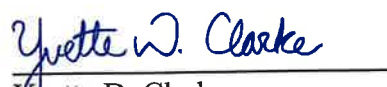



Ilhan Omar
Member of Congress





James P. McGovern
Member of Congress

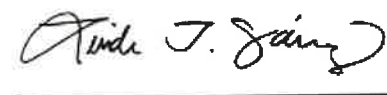

Jonathan L. Jackson
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Yvette D. Clarke
Member of Congress


Rashida Tlaib
Member of Congress



Stephen F. Lynch
Member of Congress

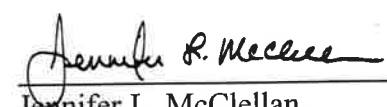

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- ⁱ https://www.acluva.org/sites/default/files/field_documents/ecf_6-1_-_declaration.pdf
- ⁱⁱ ECF 26-1; https://www.acluva.org/sites/default/files/field_documents/ecf_26-_memo_in_support_dismiss.pdf
- ⁱⁱⁱ ECF 26-1; https://www.acluva.org/sites/default/files/field_documents/ecf_26-_memo_in_support_dismiss.pdf
- ^{iv} *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)
- ^v <https://www.congress.gov/100/statute/STATUTE-101/STATUTE-101-Pg1331.pdf>;
<https://www.washingtonpost.com/archive/politics/1987/12/17/congress-lifts-political-beliefs-bar-to-aliens-under-mccarran-walter-act/bdc42e02-b771-4fd0-a51f-a66b7d78f2d7/>; <https://www.nytimes.com/1987/12/15/opinion/alien-to-free-speech.html>
- ^{vi} (H.R. Conf. Rep. No. 101-955, 101st Cong., 2nd Sess. (1990), reprinted in 1990 U.S.C.C.A.N. 6784, 6794) (S. Rep. No. 100-75 at 11, 100th Cong., 1st Sess. (1987), reprinted in 133 Cong. Rec. S2326 (1987))
- ^{vii} <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1227&num=0&edition=prelim>;
[https://uscode.house.gov/view.xhtml?req=\(title:8%20section:1182%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title8-section1182\)&f=treesort&num=0&edition=prelim](https://uscode.house.gov/view.xhtml?req=(title:8%20section:1182%20edition:prelim)%20OR%20(granuleid:USC-prelim-title8-section1182)&f=treesort&num=0&edition=prelim)
- ^{viii} <https://www.ice.gov/doclib/detention-reform/pdf/hd-detainee-transfers.pdf>
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