

Congress of the United States

Washington, DC 20515

July 17, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
Department of Homeland Security
2707 Martin Luther King Jr. Avenue, SE
Washington, DC 20528

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

Dear Secretary Noem and Secretary Rubio:

Court filings last week suggest the Administration misled federal judges, Congress, and the American people about the legal status of individuals the U.S. government has spirited away to El Salvador and who are being held in torture prisons like Centro de Confinamiento del Terrorismo (CECOT). In light of this, we write to reiterate our request for documents related to the United States' agreement with El Salvador to imprison noncitizens.

Earlier this year, the Administration removed approximately 238 individuals from the interior of the United States to CECOT and other detention centers in El Salvador.¹ The Administration failed to provide these individuals with an adequate opportunity to challenge their detention prior to their removal, and there is no evidence that the majority of these individuals engaged in any criminal activity.² In the midst of these removals, Chief Judge Boasberg of the District Court of the District of Columbia issued a temporary restraining order preventing further deportations and ordered that any planes in the air at the time of the ruling be turned around.³ However, the government failed to comply with the order.⁴ Since that time, the Trump Administration has repeatedly told courts that once these individuals are in El Salvador, they have no authority to bring them back to the United States because they are no longer in U.S. custody.⁵

However, documents have recently come to light that appear to show that the Trump Administration's lawyers misled the courts and the public.⁶ Documents filed in court last week purport to show that individuals imprisoned in El Salvador at the request of the United States

¹ Julie Turkewitz, *et. al.*, 'Alien Enemies' or Innocent Men? Inside Trump's Rushed Effort to Deport 238 Migrants, N.Y. TIMES (Apr. 15, 2025), <https://www.nytimes.com/2025/04/15/world/americas/trump-migrants-deportations.html>.

² *Id.*

³ Alan Feuer, *Judge Threatens Contempt Proceedings Over Deportation Flights to El Salvador*, N.Y. TIMES (Apr. 16, 2025), <https://www.nytimes.com/2025/04/16/us/politics/trump-probable-cause-contempt-deportation-flights.html>.

⁴ *Id.*

⁵ Silvia Foster-Frau, *El Salvador Says for the First Time That U.S. Controls Fate of Jailed Deportees*, WASH. POST (July 7, 2025), <https://www.washingtonpost.com/immigration/2025/07/07/el-salvador-says-first-time-that-us-controls-fate-jailed-deportees/>.

⁶ Alan Feuer, *Documents Case Doubt on White House's Claims About Deported Venezuelans*, N.Y. TIMES (July 7, 2025), <https://www.nytimes.com/2025/07/07/us/politics/trump-venezuelans-un-el-salvador-cecot.html>.

remain in the legal custody and control of the U.S. government. One document specifically notes:

The actions of the state of El Salvador have been limited to the implementation of a bilateral cooperation mechanism with another state, through which it has facilitated the use of the Salvadoran prison infrastructure for the custody of persons detained within the scope of the justice system and law enforcement of that other state. In this context, the jurisdiction and legal responsibility for these persons lie exclusively with the competent foreign authorities, by virtue of international agreements signed and in accordance with the principles of sovereignty and international cooperation in criminal matters.⁷

This document indicates that the Department of Justice has misled federal courts in assertions regarding the agreement with El Salvador. Given your Departments' refusal thus far to share this agreement, Congress and the American people have been forced to rely on media investigations and reports to ascertain what the agreement involves.

Further, an investigation by *The New York Times* recently found that the U.S. government not only paid El Salvador millions of dollars as part of the deal but also included the return to El Salvador of top leaders in MS-13, some of whom allegedly had knowledge of the corrupt bargain between Salvadoran President Nayib Bukele and MS-13 that has played a significant role in the decrease in gang violence in El Salvador.⁸ According to the *Times*, U.S. prosecutors have gathered evidence of a "corrupt pact" between Mr. Bukele and high-ranking MS-13 leaders, who agreed to drive down violence and bolster Mr. Bukele politically in exchange for cash and perks in jail.⁹ By sending these leaders back to El Salvador rather than allowing them to give public evidence regarding their deal with Mr. Bukele, the Trump Administration is endorsing this blatant corruption, which serves to increase the influence of the violent and dangerous gang, MS-13.

Congress has the right and the obligation to conduct oversight over the executive branch and determine what deals our government has struck with a foreign dictator to imprison individuals seized in the United States in an effort to place them beyond the reaches of our courts. As such, we again request you provide the following information.

1. Please provide any and all agreements between the United States and El Salvador entered into since January 20, 2025, pertaining to the detention of individuals sent from the United States to El Salvador, including the transfer agreement between the United States and El Salvador to accept and hold non-Salvadoran nationals.

⁷ *J.G.G. v. Trump*, 1:25-cv-00766, (D.D.C.), Document 160-1, Exhibit 1, Filed July 7, 2025, p. 5, <https://storage.courtlistener.com/recap/gov.uscourts.dcd.278436/gov.uscourts.dcd.278436.160.1.pdf>

⁸ Alan Feuer, Maria Abi-Habib, Zolan Kanno-Youngs, Annie Correal, William K. Rashbaum, and Devlin Barrett, *Trump Vowed to Dismantle MS-13. His Deal With Bukele Threatens that Effort*, N.Y. TIMES (June 30, 2025), <https://www.nytimes.com/2025/06/30/us/politics/trump-bukele-ms-13-immigrants.html>.

⁹ *Id.*

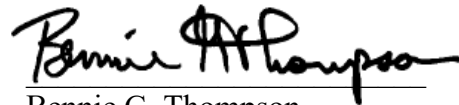
2. Please provide a detailed briefing regarding how immigrants are screened for valid asylum, withholding of removal, or Convention Against Torture protection claims prior to being removed or transferred out of the United States.
3. Please provide the number of individuals with withholding of removal or protection under the Convention Against Torture who have been removed to El Salvador since January 20, 2025.

Thank you for your attention to this urgent matter.

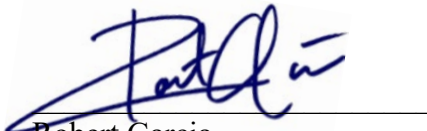
Sincerely,



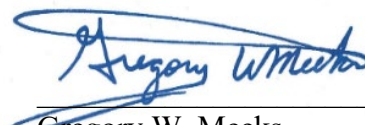
Jamie Raskin
Ranking Member
House Committee on the Judiciary



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



Robert Garcia
Ranking Member
Committee on Oversight and
Government Reform



Gregory W. Meeks
Ranking Member
Committee on Foreign Affairs

cc: The Honorable Jim Jordan, Chairman
House Committee on the Judiciary

The Honorable Mark E. Green, Chairman
Committee on Homeland Security

The Honorable James Comer, Chairman
Committee on Oversight and Government Reform

The Honorable Brian Mast, Chairman
Committee on Foreign Affairs