

Congress of the United States

Washington, DC 20515

June 5, 2025

The Honorable Kristi Noem
Secretary
Department of Homeland Security
Washington, D.C. 20528

Mr. Todd M. Lyons
Acting Director
U.S. Immigration and Customs Enforcement
Washington, D.C. 20024

Dear Secretary Noem and Acting Director Lyons:

We write to express grave concern over the disturbing pattern of Immigration and Customs Enforcement (ICE) operations taking place at immigration courts across the country — including recent incidents in New York City where masked, plainclothes ICE officers detained non-violent, non-criminal immigrants immediately following the dismissal of their existing deportation cases by DHS attorneys.¹

Over the past week, we have witnessed federal agents lying in wait outside courtrooms, detaining individuals as they leave their hearings upon the expectation that their immigration proceedings — often including asylum applications — have been dismissed upon the government's request.² These mass arrests are part of what Trump administration officials have confirmed is a nationwide effort to terminate ongoing removal cases and reroute people into fast-tracked “expedited” removal proceedings, usually without counsel, due process, or any specific case-by-case analysis.³

By terminating ongoing removal proceedings, any pending asylum claim is rendered void, thereby creating a potentially short window to quickly deport immigrants who have previously applied for asylum, which, as you well know, is a *legal pathway* to enter the United States. It also bears emphasizing that asylum is not available to individuals convicted of serious crimes or deemed a danger to the security of the United States, meaning that those asserting asylum claims in immigration court are unlikely to have criminal backgrounds and are instead seeking protection under U.S. law.⁴

Recent reports indicate that the Trump administration is pressuring federal agencies to triple the number of daily immigration arrests as part of a sweeping push to achieve the arbitrary number

¹ Tracey Tully and Zolan Kanno-Youngs, “ICE Courthouse Arrests Face New Scrutiny Amid Legal Challenges,” *New York Times*, May 30, 2025, <https://www.nytimes.com/2025/05/30/us/politics/ice-courthouse-arrests.html>

² *Id.*

³ Camilio Montoya-Galvez and Nidia Cavazos, “ICE Ending Migrants’ Court Cases in Order to Arrest and Move to Deport Them,” *CBS News*, May 23, 2025 <https://www.cbsnews.com/news/ice-ending-migrants-court-cases-arrest-move-to-deport-them/>

⁴ Priscilla Alvarez, Evan Perez, Sean Lyngaas and Holmes Lybrand, “White House Pushes for Increased Immigration Arrests by Law Enforcement Agencies,” *CNN*, May 29, 2025, <https://www.cnn.com/2025/05/29/politics/white-house-immigration-arrests-law-enforcement-agencies>

of 1 million deportations a year. This effort has led to the reassignment of FBI agents, U.S. Marshals, DEA, and CBP officers to immigration enforcement duties — ultimately straining national security resources, diverting attention away from investigating serious crimes, and raising real concerns about the public safety priorities of this administration.⁵

During Secretary Noem’s confirmation hearing, you stated that DHS “would work every day to make sure people are safe and that those with criminal convictions are immediately removed.”⁶ However, it is clear that ICE is now targeting immigrants with no criminal history, many of whom are asylum seekers, parolees admitted through lawful processes, and students like Dylan — a 20-year-old Bronx high schooler who was detained after attending his court hearing alone and without a lawyer. He has since been transferred across four states, denied medical treatment, and cut off from legal representation.⁷ Dylan entered the United States lawfully in 2024, enrolled in public school, had employment authorization, and had no criminal record at the time of his detainment.

This new policy, designed to meet an arbitrary quota of deportations, is not targeting criminals — the “worst of the worst” as administration officials have repeatedly claimed⁸ — but instead is surreptitiously and deceptively aimed at those who are following the rules, voluntarily appearing in court, and doing it the right way. This policy neither targets criminals nor makes the public safer.

Instead, this policy creates perverse incentives for immigrants who are pursuing lawful pathways into our country and will encourage immigrants to go further underground and avoid following the lawful and official immigration process. This will not only result in the loss of tax and social security revenue — contributed by asylum-seekers eligible for work authorization — but will lead to greater disorder and public safety concerns. When combined with diverting significant law enforcement resources to arrests of non-violent immigrants instead of violent felons, the impact of this new policy makes our communities less safe.

The United States is a nation founded by immigrants that has benefited immensely from immigration. As a democracy grounded in the principles of due process and equal protection under the law, the use of courthouse ambush tactics not only undermines those principles but directly contradicts the Department’s stated mission to uphold the law with integrity.

⁵ “Kristi Noem Testifies at Senate Confirmation Hearing,” *Rev.com*, accessed May 30, 2025, https://www.rev.com/transcripteditor/shared/QmAMnvocJpXkMLCFO3o9JK49iQCUHBKmn9lemjxa_R5kEmQtFXQyzzPBVweJEQl6YbRX6hnbF-YxQfnrAYC5ow2dQs?loadFrom=PastedDeeplink&ts=6383.88

⁶ Marcia Kramer, “New York City Public School Student Detained by ICE at Asylum Hearing,” *CBS News New York*, May 27, 2025, <https://www.cbsnews.com/newyork/news/nyc-high-school-student-immigrant-detained-ice/>

⁷ See, e.g., Exec. Order No. 14159, 90 Fed. Reg. 8443 (Jan. 20, 2025) (noting focus of immigration enforcement on those “who threaten the safety or security of the American people”); REUTERS, Trump to appoint former ICE director Tom Homan as US ‘border czar’ (Nov. 11, 2024), <https://www.reuters.com/world/us/trump-appointformer-ice-director-tom-homan-countrys-border-czar-2024-11-11/> (“Tom Homan ... said on Monday he would prioritize deporting immigrants in the United States illegally who pose threats to public safety and national security”); The Department of Homeland Security’s Budget Request for Fiscal Year 2026: Hearing Before the Senate Comm. on Homeland Security and Governmental Affairs (May 20, 2025) (Statement of Sec. Kristi Noem) (“once again, the United States is enforcing immigration laws to arrest, identify, detain and remove dangerous illegal alien criminals. We’re prioritizing those that are a public safety threat to people, especially those who are affiliated with the terrorist organizations MS-13 and Tren de Aragua.”).

⁸ 8 U.S.C. § 1158

Accordingly, as part of Congress's constitutional obligation to conduct oversight of the Department, we demand written responses to the following questions no later than June 19, 2025:

1. What specific guidance has DHS issued regarding the dismissal of ongoing court cases, followed by immediate ICE detention and expedited removal? Please provide all email communications, memoranda, legal justification, and written notes of relevant meetings. This includes any relevant material that mentions how the Department of Justice (DOJ) and the Executive Office for Immigration Review (EOIR) will coordinate and cooperate with enforcement operations.
2. What criteria is DHS using to determine which individuals should be targeted by this new policy?
3. How many individuals have been detained nationwide following court case dismissals since May 1, 2025? Please provide a breakdown by state and court locations.
 - Of those who have been detained and placed in expedited removal, how many (if any) had an affirmative asylum application pending or had informed the court of their intention to pursue other legal relief with United States Citizenship and Immigration Services (USCIS)?
 - Of those who have been detained and placed in expedited removal, how many (if any) have criminal convictions in the United States? Please provide relevant information about those cases and individuals.
4. Are immigration judges being tracked for how they handle these cases? If so, for what specific purpose?
5. For every detainee who had previously filed an asylum claim or other juvenile or family-based relief, please provide any and all information about whether and to what extent they received a credible fear screening under the expedited removal process.
6. What specific guidance (if any) has DHS issued, including any guidance involving the Department of Justice, about restricting observers in courtrooms or on the court premises?
7. What written guidance (if any) has DHS issued about agents wearing masks during enforcement operations?

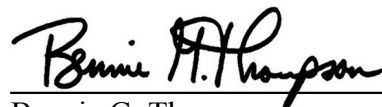
We urge DHS to immediately suspend enforcement actions targeting noncriminal immigrants and individuals who are actively complying with our immigration laws.

We look forward to your prompt and forthright response.

Sincerely,



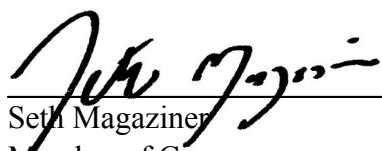
Dan Goldman
Member of Congress



Bennie G. Thompson
Member of Congress
Ranking Member, Committee
on Homeland Security



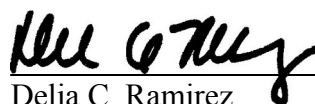
J. Luis Correa
Member of Congress



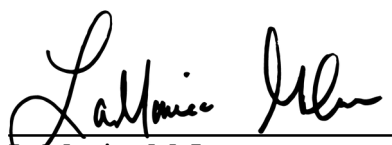
Seth Magaziner
Member of Congress



Eric Swalwell
Member of Congress



Delia C. Ramirez
Member of Congress



LaMonica McIver
Member of Congress



Robert Garcia
Member of Congress



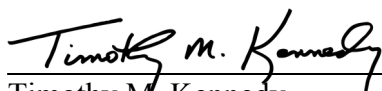
Shri Thanedar
Member of Congress



Troy A. Carter, Sr.
Member of Congress



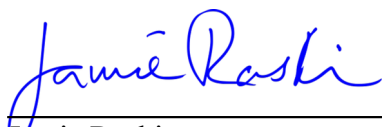
Julie Johnson
Member of Congress



Timothy M. Kennedy
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Pablo José Hernández
Member of Congress



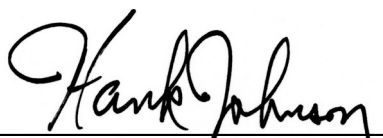
Jamie Raskin
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Pramila Jayapal
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Jerrold Nadler
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Henry C. "Hank" Johnson, Jr.
Member of Congress



Mary Gay Scanlon
Member of Congress



Zoe Lofgren
Member of Congress



Jasmine Crockett
Member of Congress



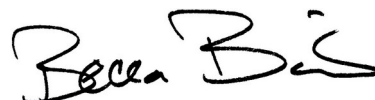
Ted W. Lieu
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Sydney Kamlager-Dove
Member of Congress



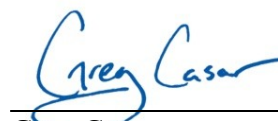
Deborah K. Ross
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Becca Balint
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Joaquin Castro
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Greg Casar
Member of Congress



Alexandria Ocasio-Cortez
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Veronica Escobar
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Madeleine Dean
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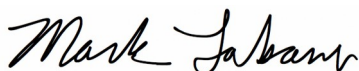
Cleo Fields
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Eleanor Holmes Norton
Member of Congress



Val Hoyle
Member of Congress



MARK TAKANO
Member of Congress



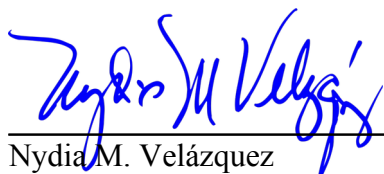
Kevin Mullin
Member of Congress




Suzanne Bonamici
Member of Congress



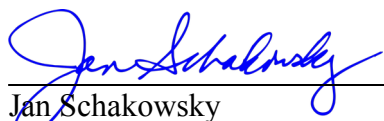
André Carson
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Nydia M. Velázquez
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Sylvia R. Garcia
Member of Congress



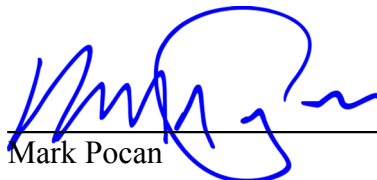
Jan Schakowsky
Member of Congress



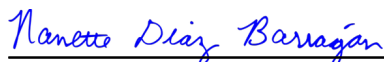
Yvette D. Clarke
Member of Congress



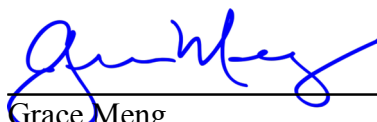
Danny K. Davis
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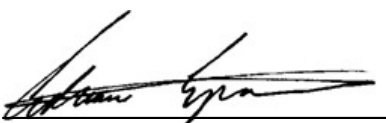
Mark Pocan
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Nanette Diaz Barragán
Member of Congress



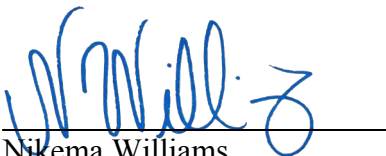
Grace Meng
Member of Congress



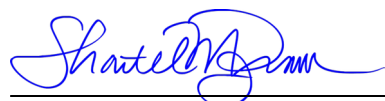
Adriano Espaillat
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Derek T. Tran
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Nikema Williams
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Shontel M. Brown
Member of Congress



Joe Courtney
Member of Congress



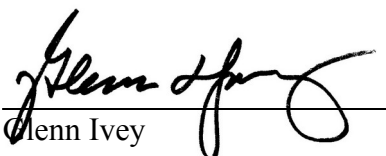
Diana DeGette
Member of Congress



Debbie Wasserman Schultz
Member of Congress



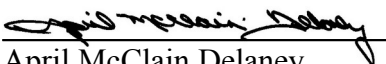
Robert J. Menendez
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Glenn Ivey
Member of Congress



Betty McCollum
Member of Congress



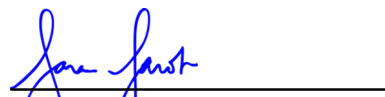
April McClain Delaney
Member of Congress



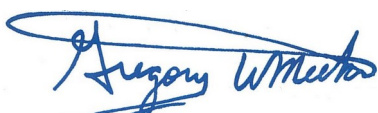
Paul D. Tonko
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Maxine Dexter
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Sara Jacobs
Member of Congress



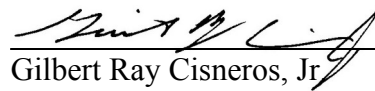
Gregory W. Meeks
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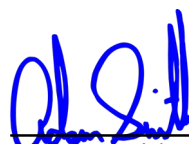
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Gilbert Ray Cisneros, Jr.
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Bonnie Watson Coleman
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Adam Smith
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Frank Pallone, Jr.
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Dina Titus
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Seth Moulton
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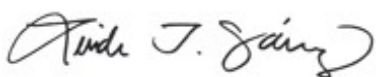
Jesús G. "Chuy" García
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Sam T. Liccardo
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Jahana Hayes
Member of Congress



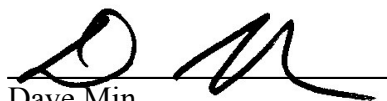
Linda T. Sánchez
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Andrea Salinas
Member of Congress



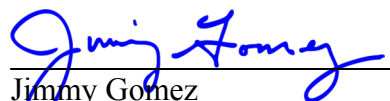
Luz M. Rivas
Member of Congress



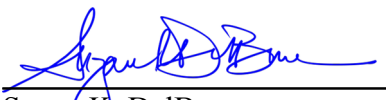
Dave Min
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Ritchie Torres
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Jimmy Gomez
Member of Congress



Suzan K. DelBene
Member of Congress



James P. McGovern
Member of Congress



Stephen F. Lynch
Member of Congress



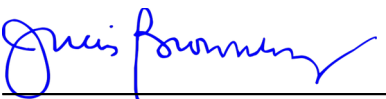
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Mike Quigley
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Mike Levin
Member of Congress



Julia Brownley
Member of Congress



John Garamendi
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Juan Vargas
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