

# Congress of the United States

Washington, DC 20515

April 29, 2025

Pete R. Flores  
Acting Commissioner  
U.S. Customs and Border Patrol  
1300 Pennsylvania Avenue NW, Room 3.5A  
Washington, DC 20229

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

Dear Acting Commissioner Flores and Acting Director Lyons,

We write regarding our concerns about Customs and Border Protection's (CBP) conduct at ports of entry across the country. Over the past two months, we have seen a series of troubling reports alleging due process violations, mistreatment, prolonged detention, and politicized denials of entry at air and land ports. We urge CBP to ensure that its agents properly respect travelers' rights and ask that CBP provide information for us to better understand the agency's evolving practices.

Upon taking office, President Trump directed the Department of Homeland Security (DHS) to "ensure that all aliens seeking admission to the United States, or who are already in the United States, are vetted and screened to the maximum degree possible."<sup>1</sup> In response, CBP appears to have begun not only denying entry more often, but also subjecting travelers to harsher questioning tactics, prolonged detention, and arbitrary denials of entry<sup>2</sup> — turning ordinary international travel into a nightmarish ordeal for tourists, business travelers, lawful permanent residents (LPRs, also known as "green card" holders), and even U.S. citizens. These incidents appear to be a sharp departure from CBP's normal practices. Reviewing a string of recent incidents, former CBP Commissioner Gil Kerlikowske said: "I can't remember anything quite that extreme."<sup>3</sup>

There have been multiple recent reports of CBP officers allegedly mistreating people in their custody. On March 7, a green card holder returning to the United States reportedly was "violently interrogated" at an airport — including being strip-searched, forced into a cold

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<sup>1</sup> White House, "Protecting The United States From Foreign Terrorists And Other National Security And Public Safety Threats," January 20, 2025, <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-united-states-from-foreign-terrorists-and-other-national-security-and-public-safety-threats/>.

<sup>2</sup> Washington Post, "Entering the U.S.? Here are your rights at airports and border crossings," Daniel Wu, March 21, 2025, <https://www.washingtonpost.com/travel/2025/03/21/travelers-entering-united-states-rights/>.

<sup>3</sup> Wall Street Journal, "Border Agents Use More Aggressive Tactics to Question Visa Holders, Tourists," Tarini Parti and Michelle Hackman, March 20, 2025, [https://www.wsj.com/politics/policy/border-agents-use-more-aggressive-tactics-to-question-visa-holders-tourists-067afbf4?st=RqPTwK&reflink=article\\_email\\_share](https://www.wsj.com/politics/policy/border-agents-use-more-aggressive-tactics-to-question-visa-holders-tourists-067afbf4?st=RqPTwK&reflink=article_email_share).

shower, and denied access to his medications.<sup>4</sup> His mother reported that “[h]e hardly got anything to drink,” collapsed, and was later transported by ambulance to the hospital.<sup>5</sup>

Even U.S. citizens have reported being detained and mistreated by CBP in recent weeks.<sup>6</sup> For example, on February 18, a U.S. citizen reportedly was handcuffed, chained to a bench, and “subjected to a humiliating body search” after asking CBP officials why her partner, a German national with whom she was traveling, was being detained.<sup>7</sup> On March 8, CBP detained two American children and their immigrant mother for five days, during which time the children developed a fever and cough, in an ordeal that the family said “felt like a kidnapping.”<sup>8</sup> And this month, an American attorney was questioned for over 90 minutes as CBP sought to search his phone, which he believes was prompted by “an attempt by the Trump Administration to ‘chill’ [his] work on behalf of defendants.”<sup>9</sup> Similar incidents have occurred at other locations.<sup>10</sup>

In addition, in some recent cases, reports indicate that CBP may have violated travelers’ due process rights. In one incident, an H-1B visa holder was deported on a flight *after* a federal judge’s order that “the petitioner shall not be moved outside the District of Massachusetts without providing the Court 48 hours’ advance notice of the move and the reason therefor.”<sup>11</sup> CBP claimed not to have seen the order before the deportation;<sup>12</sup> that claim is currently being litigated.<sup>13</sup> In another recent case, CBP revoked the visa of a U.S. university researcher because she did not declare an item in her baggage at customs — the penalty for which is generally a

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<sup>4</sup> Great Blue Hills News, “Green card holder from New Hampshire ‘interrogated’ at Logan Airport, detained,” Sarah Betancourt, March 14, 2025, <https://www.wgbh.org/news/local/2025-03-14/green-card-holder-from-new-hampshire-interrogated-at-logan-airport-detained>.

<sup>5</sup> *Id.*; The Verge, “The airport panopticon is getting people deported and detained,” Gaby Del Valle, March 19, 2025, <https://www.theverge.com/policy/632843/cbp-phone-search-airport-arrest-mass-deportations>.

<sup>6</sup> See, e.g., NHPR, “‘Felt like a kidnapping’: Wrong turn leads to 5-day detention ordeal,” Jasmine Garsd and Joel Rose, March 26, 2025, <https://www.nhpr.org/2025-03-26/felt-like-a-kidnapping-wrong-turn-leads-to-5-day-detention-ordeal>; New York Times, “German Tourists Detained for Weeks, Then Deported From U.S.,” Lynsey Chutel, March 13, 2025, <https://www.nytimes.com/2025/03/13/world/europe/german-tourists-detained-deported.html>.

<sup>7</sup> *Id.*

<sup>8</sup> NHPR, “‘Felt like a kidnapping’: Wrong turn leads to 5-day detention ordeal,” Jasmine Garsd and Joel Rose, March 26, 2025, <https://www.nhpr.org/2025-03-26/felt-like-a-kidnapping-wrong-turn-leads-to-5-day-detention-ordeal>.

<sup>9</sup> WXYZ Detroit, “Immigration attorney says he was detained, targeted at Detroit Metro Airport,” Glenda Lewis, April 9, 2025, <https://www.wxyz.com/news/immigration-attorney-says-he-was-detained-targeted-at-detroit-metro-airport>; Washington Post, “Border agents ask lawyer with pro-Palestinian client to give up phone,” Gaya Gupta and Angie Orellana Hernandez, April 8, 2025, <https://www.washingtonpost.com/nation/2025/04/08/michigan-lawyer-border-phone/>.

<sup>10</sup> See, e.g., Boston Globe, “Mass. lawyer and his wife say they were handcuffed, detained for hours at Canada border: ‘It was a shock,’” Claire Thornton, April 19, 2025, <https://www.bostonglobe.com/2025/04/19/metro/mass-lawyer-wife-detained-at-canada-border-in-vermont/?event=event12>; NBC News, “Deported family of U.S. citizen girl recovering from brain surgery alleges civil rights abuses in new complaint,” Nicole Acevedo, March 17, 2025, <https://www.nbcnews.com/news/latino/deported-family-us-citizen-girl-brain-surgery-alleges-abuse-rcna196705>.

<sup>11</sup> Order, *Alawieh v. Noem*, 25-cv-10614 (D. Mass. March 14, 2025), <https://storage.courtlistener.com/recap/gov.uscourts.mad.282017/gov.uscourts.mad.282017.4.0.pdf>.

<sup>12</sup> Politico, “Deported Brown University professor had photos of Hezbollah leaders on her phone, DOJ says,” Josh Gerstein, March 17, 2025, <https://www.politico.com/news/2025/03/17/rasha-alawieh-deportation-026038>.

<sup>13</sup> *Alawieh v. Noem*, 25-cv-10614 (D. Mass. March 17, 2025), ECF No. 19, <https://www.courtlistener.com/docket/69741237/chehab-v-noem/>.

monetary fine and seizure of the item, rather than the revocation of legal status.<sup>14</sup> Meanwhile, some individuals in CBP custody allegedly have been pressured to voluntarily abandon their LPR status without access to counsel,<sup>15</sup> or have been denied a translator,<sup>16</sup> despite CBP's policy of "provid[ing] interpretive services where appropriate."<sup>17</sup>

Furthermore, CBP appears to be transferring travelers with increasing frequency to the custody of Immigration and Customs Enforcement (ICE) for prolonged periods of detention. For example, the researcher mentioned above was detained by CBP on February 16 and was then transferred to ICE's custody in Louisiana — where she has now been held for almost two months.<sup>18</sup> Additionally, on January 25, a German tourist was stopped by border agents and, for no clear reason, was transferred to a notorious ICE detention center, where she remained for six weeks — including nine days in solitary confinement.<sup>19</sup> Similar cases have involved a backpacker from Wales who was recently detained for three weeks, and a Canadian with a U.S. work visa who was detained for twelve days after attempting to return to the United States for work.<sup>20</sup>

We are also concerned that CBP appears to be more frequently searching travelers' phones — and sometimes denying entry after finding evidence of their political opinions on their devices. According to CBP, it searches mobile phones and other electronic devices only "on rare occasions,"<sup>21</sup> and in fiscal year 2024, CBP officials searched .01% of travelers' devices.<sup>22</sup> But early indications from this Administration suggest that number is on the rise<sup>23</sup> — as are allegations of politicized denials of entry. For example, CBP recently blocked the entry of a

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<sup>14</sup> 19 U.S.C. § 1497; 19 CFR § 148.18.

<sup>15</sup> Newsweek, "Green Card Holders Warned Against Leaving the United States," Nick Mordowanec, March 20, 2025, <https://www.newsweek.com/green-cards-immigration-border-cbp-dhs-warning-leave-country-risk-2047844>.

<sup>16</sup> New York Times, "German Tourists Detained for Weeks, Then Deported From U.S.," Lynsey Chutel, March 13, 2025, <https://www.nytimes.com/2025/03/13/world/europe/german-tourists-detained-deported.html>.

<sup>17</sup> U.S. Department of Homeland Security, "Language Access Plan," February 28, 2012, <https://www.dhs.gov/xlibrary/assets/crcl/crcl-dhs-language-access-plan.pdf>; U.S. Customs and Border Protection, "Supplementary Language Access Plan," February 7, 2020, <https://www.dhs.gov/sites/default/files/publications/cbp-updated-language-access-plan-2020.pdf>.

<sup>18</sup> Great Blue Hills News, "Harvard scientist with valid visa detained for bringing frog embryos to Logan Airport," Sarah Betancourt, March 28, 2025, <https://www.wgbh.org/news/local/2025-03-28/harvard-scientist-with-valid-visa-detained-for-bringing-frog-embryos-to-logan-airport>; Boston.com, "A Harvard scientist from Russia has been detained by ICE since February for failing to declare frog embryos," Beth Treffeisen, March 28, 2025, <https://www.boston.com/news/local-news/2025/03/28/a-harvard-scientist-from-russia-has-been-detained-by-ice-since-february-for-failing-to-declare-frog-embryos/>; Office of U.S. Senator Adam Schiff, Letter to DHS and ICE regarding Russian citizen and Harvard Medical School researcher, March 31, 2025, <https://www.schiff.senate.gov/wp-content/uploads/2025/03/03.31.2025-Letter-on-Kseniia-Petrova-Schiff.pdf>.

<sup>19</sup> New York Times, "German Tourists Detained for Weeks, Then Deported From U.S.," Lynsey Chutel, March 13, 2025, <https://www.nytimes.com/2025/03/13/world/europe/german-tourists-detained-deported.html>.

<sup>20</sup> PBS News, "U.S. detention of European and Canadian tourists creates fear over traveling to America," Julie Watson, March 21, 2025, <https://www.pbs.org/newshour/world/u-s-detention-of-european-and-canadian-tourists-creates-fear-over-traveling-to-america>; New York Times, "Canadian Who Was in an 'American Pie' Video Says ICE Held Her for 12 Days," Neil Vigdor, March 18, 2025, <https://www.nytimes.com/2025/03/18/us/mooney-canadian-american-pie-actress-ice.html>.

<sup>21</sup> U.S. Customs and Border Protection, "Border Search of Electronic Devices at Ports of Entry," January 7, 2025, <https://www.cbp.gov/travel/cbp-search-authority/border-search-electronic-devices>.

<sup>22</sup> U.S. Customs and Border Protection, "Border Searches of Electronics at Ports of Entry: FY2024 Statistics," November 2024, <https://www.cbp.gov/sites/default/files/2024-11/Border%20Search%20of%20Electronics%20at%20Ports%20of%20Entry%20FY%202024%20Statistics%20%28508%29.pdf>.

French scientist traveling for a conference; according to the French government, agents denied entry because of the traveler's phone messages that "expressed a personal opinion on the Trump administration's research policies."<sup>24</sup> Trump Administration officials deny that claim.<sup>25</sup>

CBP's tactics, along with other Trump Administration policies, appear to be contributing to a decline in travel to the United States.<sup>26</sup> Multiple countries — including Canada, the United Kingdom, Germany, Finland, and Denmark — have warned their citizens against travel to the United States.<sup>27</sup> Airlines are preparing for reduced travel into the country by canceling routes and adjusting their earnings expectations.<sup>28</sup> Travelers are canceling trips,<sup>29</sup> such as one recently detained traveler and his American fiancé who are rethinking plans to hold their wedding in the United States and believe "[n]obody is safe there anymore to come to America as a tourist."<sup>30</sup> Reduced travel will lead to lost jobs, lost profits for American businesses, and lost revenue for the nation.<sup>31</sup>

This trend may soon worsen. The Trump Administration is reportedly considering a travel ban that would impose travel restrictions on up to 43 countries,<sup>32</sup> which may prompt CBP officers to adopt harsher vetting tactics, even with travelers from other countries.

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<sup>23</sup> USA Today, "Yes, border control can go through your phone. Here's what travelers should know," Kathleen Wong, March 21, 2025, <https://www.usatoday.com/story/travel/news/2025/03/21/border-control-phone-search/82594653007/>.

<sup>24</sup> CNN, "US denies French claims a space researcher was expelled over messages about Trump," Saskya Vandoorne, March 20, 2025, <https://www.cnn.com/2025/03/20/europe/french-researcher-expelled-trump-intl-latam/index.html>.

<sup>25</sup> *Id.*

<sup>26</sup> New York Times, "'Trump Slump' Looms as Foreign Visitors Rethink Travel to U.S.," Ceylan Yeğinsu March 26, 2025, <https://www.nytimes.com/2025/03/26/travel/foreign-travel-to-united-states-trump.html>.

<sup>27</sup> National Public Radio, "Some European countries and Canada issue advisories for travelers to the U.S.," Chandelis Duster, March 26, 2025, <https://www.npr.org/2025/03/22/nx-s1-5336792/european-countries-canada-travel-warnings-us>.

<sup>28</sup> Wall Street Journal, "Airlines' Dreams of a Banner Year Are Over," Alison Sider, April 9, 2025, [https://www.wsj.com/business/airlines/airlines-dreams-of-a-banner-year-are-over-5e494efd?st=FzPPLU&reflink=article\\_email\\_share](https://www.wsj.com/business/airlines/airlines-dreams-of-a-banner-year-are-over-5e494efd?st=FzPPLU&reflink=article_email_share); New York Times, "'Trump Slump' Looms as Foreign Visitors Rethink Travel to U.S.," Ceylan Yeğinsu

March 26, 2025, <https://www.nytimes.com/2025/03/26/travel/foreign-travel-to-united-states-trump.html>.

<sup>29</sup> New York Times, "'Trump Slump' Looms as Foreign Visitors Rethink Travel to U.S.," Ceylan Yeğinsu March 26, 2025, <https://www.nytimes.com/2025/03/26/travel/foreign-travel-to-united-states-trump.html>.

<sup>30</sup> PBS News, "U.S. detention of European and Canadian tourists creates fear over traveling to America," Julie Watson, March 21, 2025, <https://www.pbs.org/newshour/world/u-s-detention-of-european-and-canadian-tourists-creates-fear-over-traveling-to-america>.

<sup>31</sup> National Public Radio, "Immigration officers are becoming 'extreme' in how they vet travelers entering the U.S.," Ayesha Rascoe, March 23, 2025, <https://www.npr.org/2025/03/23/nx-s1-5335623/immigration-officers-are-becoming-extreme-in-how-they-vet-travelers-entering-the-u-s#:~:text=Border%20officials%20might%20ask%20the,sent%20to%20U.S.%20detention%20centers>; PBS News, "U.S. detention of European and Canadian tourists creates fear over traveling to America," Julie Watson, March 21, 2025, <https://www.pbs.org/newshour/world/u-s-detention-of-european-and-canadian-tourists-creates-fear-over-traveling-to-america>; Forbes, "Canadian Travel Boycott Of U.S. Could Cost \$2.1 Billion, U.S. Travel Association Warns," Suzanne Rowan Kelleher, February 3, 2025, <https://www.forbes.com/sites/suzannerowan/kelleher/2025/02/03/canadian-travel-boycott-of-usa-2-billion/>.

<sup>32</sup> New York Times, "Draft List for New Travel Ban Proposes Trump Target 43 Countries," Charlie Savage and Ken Bensinger, March 14, 2025, <https://www.nytimes.com/2025/03/14/us/politics/trump-travel-ban.html>.

To help the American public — and the one million travelers entering the United States each day<sup>33</sup> — better understand recent changes in CBP’s practices, we request answers to the following questions by May 14, 2025:

1. What steps is CBP taking to ensure that it promptly complies with time-sensitive court orders staying deportations?
2. Please provide the number of complaints regarding officer misconduct received by CBP for each of January, February, and March, and April 2025, along with data on the median number of monthly complaints for each of the past five years.
3. Given personnel cuts at DHS’s Office for Civil Rights and Civil Liberties and other DHS watchdog offices,<sup>34</sup> what steps will CBP take to ensure robust, independent oversight of its compliance with civil rights requirements such as those related to due process, freedom of speech, and prohibitions on discrimination?
4. Please provide a copy of any policy documents related to questioning and vetting of travelers with valid travel documents, including those with lawful permanent residency, a valid visa, or a valid U.S. passport.
  - a. Please provide any policy documents on when agents may request that a lawful permanent resident abandon their status.
5. Please provide a copy of any policy documents related to basic and advanced searches of electronic devices, beyond CBP Directive 3340-049A,<sup>35</sup> including on CBP’s policy regarding when content found on an electronic device can be the basis of denying entry into the United States.
6. Please provide the number of travelers whose electronic devices CBP has searched for each of January, February, and March, and April 2025, along with the reasons logged, if any, and data on the median number of device searches by CBP for each of the past five years, disaggregated by nationality.
7. Please provide the number of travelers arriving at U.S. ports of entry who have been transferred from CBP to ICE custody for each of January, February, and March, and April 2025, along with data on the median number of monthly transfers of travelers from CBP to ICE custody for each of the past five years, disaggregated by nationality and by reason(s) given, if any. Over the past month:
  - a. What has been the median duration of detention for those travelers?
  - b. How much has ICE spent to detain those travelers?

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<sup>33</sup> U.S. Customs and Border Patrol, “Know Before You Visit,” last modified September 27, 2024, <https://www.cbp.gov/travel/international-visitors/know-before-you-visit>.

<sup>34</sup> National Public Radio, “Homeland Security makes cuts to civil rights and immigration oversight offices,” Ximena Bustillo, March 21, 2025, <https://www.npr.org/2025/03/21/nx-s1-5336738/homeland-security-rif-cuts-dhs>.

<sup>35</sup> U.S. Customs and Border Protection, “CBP Directive: Border Search Of Electronic Devices,” January 4, 2018, <https://www.cbp.gov/sites/default/files/assets/documents/2018-Jan/CBP-Directive-3340-049A-Border-Search-of-Electronic-Media-Compliant.pdf>.

8. Please provide the number of U.S. citizens CBP has detained for each of January, February, and March, and April 2025, along with data on the median number of U.S. citizens detained by CBP for each of the past five years, disaggregated by nationality, race/ethnicity, and by reasons given, if any.
9. Please share any policies or directives regarding the use of expedited removal in cases involving visa holders at ports of entry.
10. Please share the number of visa holders who were subjected to expedited removal, the number of visa holders who were admitted, and the number of visa holders who withdrew applications for admission, disaggregated by country of origin and port of entry, for each of January, February, and March, and April 2025.

Thank you for your attention to this important matter.

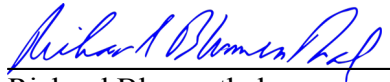
Sincerely,



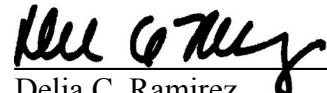
Elizabeth Warren  
United States Senator



J. Luis Correa  
Member of Congress



Richard Blumenthal  
United States Senator



Delia C. Ramirez  
Member of Congress




Richard J. Durbin  
United States Senator



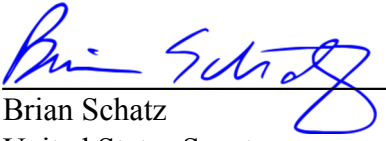
Jasmine Crockett  
Member of Congress




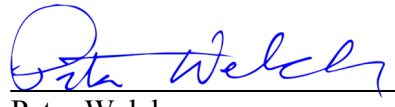
Chris Van Hollen  
United States Senator

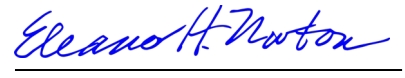


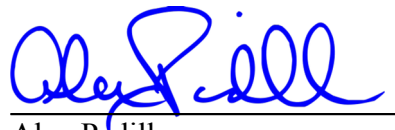
Henry C. "Hank" Johnson, Jr.  
Member of Congress

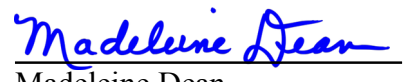
  
Brian Schatz  
United States Senator


  
Timothy M. Kennedy  
Member of Congress


  
Peter Welch  
United States Senator

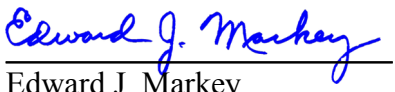
  
Eleanor Holmes Norton  
Member of Congress

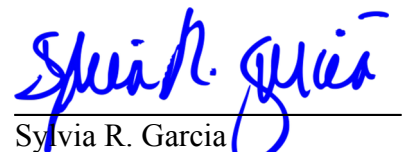
  
Alex Padilla  
United States Senator

  
Madeleine Dean  
Member of Congress

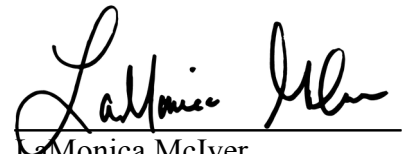
  
Bernard Sanders  
United States Senator


  
Rashida Tlaib  
Member of Congress


  
Edward J. Markey  
United States Senator

  
Sylvia R. Garcia  
Member of Congress

  
Mazie K. Hirono  
United States Senator

  
LaMonica McIver  
Member of Congress

  
Betty McCollum  
Member of Congress

  
James P. McGovern  
Member of Congress



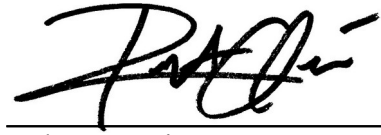
André Carson  
Member of Congress



Kevin Mullin  
Member of Congress



Ted W. Lieu  
Member of Congress



Robert Garcia  
Member of Congress



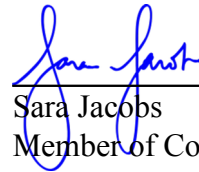
Shri Thanedar  
Member of Congress



Alexandria Ocasio-Cortez  
Member of Congress



Paul D. Tonko  
Member of Congress



Sara Jacobs  
Member of Congress



Pramila Jayapal  
Member of Congress



Nanette Diaz Barragán  
Member of Congress



Raja Krishnamoorthi  
Member of Congress



John Garamendi  
Member of Congress



Yassamin Ansari  
Member of Congress



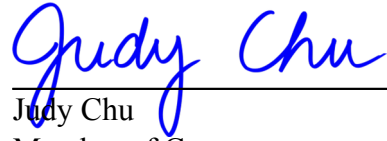
Dan Goldman  
Member of Congress





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Marilyn Strickland  
Member of Congress



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Judy Chu  
Member of Congress



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Juan Vargas  
Member of Congress



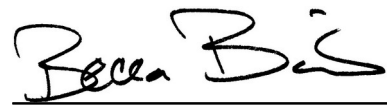
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Jim Costa  
Member of Congress



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Greg Casar  
Member of Congress



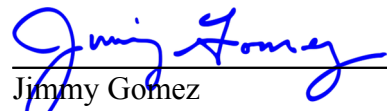
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Becca Balint  
Member of Congress



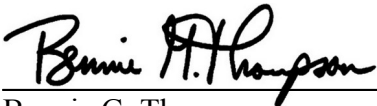
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Jamie Raskin  
Member of Congress



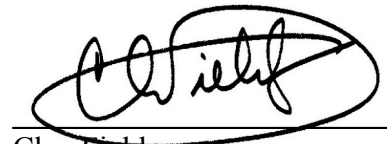
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Jimmy Gomez  
Member of Congress



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Bennie G. Thompson  
Member of Congress



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Cleo Fields  
Member of Congress




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Mary Gay Scanlon  
Member of Congress



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Frederica S. Wilson  
Member of Congress



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Troy A. Carter, Sr.  
Member of Congress



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Summer L. Lee  
Member of Congress

Cc: Rodney Scott, Nominee for CBP Commissioner