

# Congress of the United States

Washington, DC 20515

January 13, 2026

The Honorable Kristi Noem  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave SE  
Washington, DC 20032

Dear Secretary Noem:

I write out of profound concern regarding the Department of Homeland Security's expanding use of third-country deportations and the alarming possibility that Venezuela may be contemplated as a destination for such transfers. In the wake of public statements by President Trump asserting that the United States is now "in charge" of Venezuela, the risk that this administration may seek to treat Venezuela as a third country deportations destination cannot be ignored.<sup>1</sup> DHS must not proceed down that path.<sup>2</sup>

Over the past year, DHS has increasingly deported immigrants to multiple third countries, nations where these individuals are not citizens and often have no ties. Many of those sent away were asylum seekers and had no criminal convictions and were removed without meaningful due process or clear explanation.<sup>3</sup> These transfers have occurred with little public transparency, making it difficult to determine where people were sent, why those countries were chosen, and whether the U.S. took steps to ensure individuals would not face harm upon arrival.

In March 2025, the U.S. government deported hundreds of people to El Salvador, including many who had no criminal record, without giving them a fair chance to challenge their deportation. Many of these individuals were sent to a dangerous mega-prison called CECOT.<sup>4</sup> Reports from journalists and human rights groups show that people held there face extreme overcrowding, lack of medical care, and physical abuse.<sup>5</sup> Sending people to a place where they are likely to be harmed violates basic human rights and raises serious questions about whether the government followed U.S. law and its duty not to send people into danger.

Any effort to replicate this model in Venezuela would be even more dangerous.

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<sup>1</sup> Cano, Regina Garcia, et al. "Rubio Says US Will Press Change in Venezuela with Oil Embargo, While Trump Insists 'We're in Charge.'" *AP*, 4 Jan. 2026, <https://www.msn.com/en-us/news/world/maduro-arrives-in-us-after-stunning-capture-in-operation-that-trump-says-will-let-us-run-venezuela/ar-AA1Tx029>.

<sup>2</sup> Id

<sup>3</sup> "What Are Third-Country Removals? Understanding Their Use in U.S. Immigration Policy." *American Immigration Council*, <https://www.americanimmigrationcouncil.org/fact-sheet/what-are-third-country-removals-factsheet/>. Accessed 11 Jan. 2026.

<sup>4</sup> Torres, Mauricio, and Lex Harvey. "Venezuela's Maduro Calls US Deportation of Migrants to El Salvador a 'Kidnapping,' Backs Calls for Their Return." *CNN*, 20 Mar. 2025, [www.cnn.com/2025/03/20/americas/venezuela-el-salvador-us-migrant-deportations-intl-hnk](https://www.cnn.com/2025/03/20/americas/venezuela-el-salvador-us-migrant-deportations-intl-hnk); Human Rights Watch and Cristosal, "You Have Arrived in Hell: Torture and Other Abuses Against Venezuelans in El Salvador's Mega Prison," Report, November 12, 2025, <https://www.hrw.org/report/2025/11/12/you-have-arrived-in-hell/torture-and-other-abuses-against-venezuelans-in-el>.

<sup>5</sup> Garg, Rishabh. "The Human Rights Crisis of CECOT." *Yale Global Health Review*, 7 Dec. 2025, <https://yaleglobalhealthreview.com/2025/12/07/the-human-rights-crisis-of-cecot/>.

The U.S. Department of State continues to warn Americans not to travel to Venezuela, citing political instability, corruption, arbitrary detention, and the absence of reliable legal protections.<sup>6</sup> Deporting individuals—many of whom fled persecution, political repression, or economic collapse—into a country the United States itself deems unsafe would expose them to grave risk. It would also place the United States in direct tension with its obligations under the Immigration and Nationality Act, the Convention Against Torture, and longstanding international prohibitions on returning individuals to countries where they face a credible threat of harm.

Venezuela is not a safe third country. It lacks the legal framework, institutional capacity, and humanitarian infrastructure necessary to receive third-country deportees. Treating Venezuela as a deportation destination or staging zone would effectively externalize U.S. immigration enforcement onto a country in crisis.


Accordingly, I request clear, written responses to the following questions no later than January 27, 2026:

1. Is DHS currently considering, planning, or authorizing the transfer of non-Venezuelan immigrants to Venezuela under any third-country deportation or removal policy?
2. What concrete safeguards does DHS employ to ensure compliance with U.S. statutory law and non-refoulement obligations when transferring individuals to countries subject to active U.S. travel warnings?
3. Have you or other senior DHS officials engaged in discussions with the Department of State, the Department of Defense, intelligence agencies, or foreign counterparts regarding the use of Venezuela—or territory under U.S. control or influence in or near Venezuela—as a deportation destination? If so, please describe the scope, purpose, and current status of those discussions and identify any related records.
4. What mechanisms does DHS use to track the safety, legal status, and treatment of individuals deported to countries of which they are not citizens?

Our immigration system must protect national security without abandoning fundamental principles of due process and law. The transfers to countries such as El Salvador should serve as a warning—not a blueprint. DHS must not repeat or expand policies that knowingly place people into conditions of danger, lawlessness, or abuse.

I urge DHS to categorically rule out Venezuela as a third-country deportation destination and to halt any actions that risk sending individuals there until Congress receives full and transparent answers. The United States cannot allow Venezuela to become the next CECOT—or treat an entire country as an improvised immigration detention facility.

Sincerely,



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Raja Krishnamoorthi  
Member of Congress

<sup>6</sup> "U.S. Citizens Face Significant Risk of Wrongful Detention in Venezuela." *United States Department of State*, May 2025, [www.state.gov/releases/office-of-the-spokesperson/2025/05/u-s-citizens-face-significant-risk-of-wrongful-detention-in-venezuela/](https://www.state.gov/releases/office-of-the-spokesperson/2025/05/u-s-citizens-face-significant-risk-of-wrongful-detention-in-venezuela/).