

# United States Senate

WASHINGTON, DC 20510

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

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

September 16, 2025

Dear Secretary Rubio and Secretary Noem:

In July, the U.S. State Department declassified and released three documents<sup>1</sup> pertaining to an agreement between the United States and El Salvador to transfer and indefinitely detain up to 500 alleged members of the *Tren de Aragua* (TdA) gang at the notorious *Centro de Confinamiento del Terrorismo* (CECOT) prison. Between March and April 2025, approximately 280 individuals were sent to CECOT pursuant to the arrangement. The administration has asserted it conducted the removals under the authority of the Alien Enemies Act – which a federal court recently ruled was invoked illegally – and the diplomatic notes between the U.S. and El Salvador exclusively provide for the transfer of Venezuelan members of TdA. Nonetheless, the Department of Homeland Security has confirmed that Salvadoran nationals were present on the deportation flights and media reports suggest other nationalities may have also been sent. In the administration’s rush to circumvent due process and avoid legal scrutiny, at least eight women were erroneously flown to CECOT before being immediately returned to the United States.

CECOT has been the subject of extensive reporting and investigation, which have documented systematic physical beatings, torture, and intentional denial of access to food, water, clothing, and health care.<sup>2</sup> According to a 2023 report by Cristosal, a leading human rights organization routinely targeted by President Nayib Bukele, dozens of detainees have died at the site due to torture, beatings, strangulation, or lack of medical care.<sup>3</sup> Venezuelan men released from CECOT also described the different forms of psychological torture they were made to endure; one man

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<sup>1</sup> Just Security, “The Legal Fig Leaf: The US-El Salvador Detainee Diplomatic Notes,” Brian Finucane, July 17, 2025, <https://www.justsecurity.org/117271/us-elsalvador-diplomatic-notes/>.

<sup>2</sup> PBS News, “The conditions inside the infamous El Salvador prison where deported migrants are held,” William Brangham, Ian Couzens, and Shrai Popat, April 8, 2025, <https://www.pbs.org/newshour/show/the-conditions-inside-the-infamous-el-salvador-prison-where-deported-migrants-are-held>

<sup>3</sup> El Pais, “Inmates in El Salvador tortured and strangled: A report denounces hellish conditions in Bukele’s prisons,” Bryan Avelar, May 29, 2023, <https://english.elpais.com/international/2023-05-29/inmates-in-el-salvador-tortured-and-strangled-a-report-denounces-hellish-conditions-in-bukeles-prisons.html>.

reported that a guard encouraged the detainees to commit suicide<sup>4</sup> to make their nightmare end. Despite the documentation of CECOT's abhorrent conditions, the 2024 Country Report on Human Rights Practices in El Salvador outrageously claims that there were "no credible reports of significant human rights abuses" in the country.<sup>5</sup> This claim is not only in contradiction to all available evidence and personal testimony but also a far cry from the litany of abuses documented by the State Department's own 2023 Country Report for El Salvador. It is unacceptable for the State Department to use its personnel, funding, and resources to provide cover for a regime because of our own complicity in egregious rights violations.

Additional documents also reveal that the U.S. paid at least \$4.76 million to the government of El Salvador for "costs associated" with the detention of the alleged gang members. This administration's own statements make it clear that they were not only aware of conditions inside the prison but actively sought to send individuals to CECOT precisely because they expected detainees would be subjected to cruelty, torture, and possibly death. Salvadoran officials have likewise made CECOT's notoriety the central tenet of its campaign against gang members. In 2023, Justice Minister Gustavo Villatoro said, "we will ensure that the penalties are severe enough so that no one who enters the CECOT will ever walk out; they will only be able to leave in a coffin."<sup>6</sup>

These removals diminish our standing internationally and likely violate international human rights law prohibiting enforced disappearances, humane conditions of detention, and breached our obligation to not return someone to torture. The public deserves to know precisely how their government perpetuated these deportations and the full scope of impacted individuals. In light of these facts, Congress has a responsibility to receive a complete accounting of the individuals subject to this ill-conceived scheme. While there is precedent for other governments to temporarily detain deportees from the U.S., it is our understanding that the U.S. has never requested that a foreign country indefinitely detain deportees after leaving U.S. soil, until today.

I hereby request answers to the below questions no later than September 30, 2025. If the requested information is in the possession of a different department or agency, please refer the questions to the appropriate entity for immediate response.

1. Please provide the full names, date of birth, and country of nationality of every individual the U.S. requested the Government of El Salvador accept for any period of detention at CECOT or any other location.

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<sup>4</sup> NBC News, Venezuelans describe being beaten, sexually assaulted and told to 'commit suicide' during El Salvador detention," Daniella Silva and Didi Martinez, July 28, 2025, <https://www.nbcnews.com/news/us-news/venezuelans-cecot-el-salvador-returned-abuse-rcna220924>.

<sup>5</sup> U.S. Department of State, "2024 Country Reports on Human Rights: El Salvador," <https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/el-salvador/>

<sup>6</sup> El Salvador Ministry of Public Security and Justice, "'Como Gabinete de Seguridad nos encargaremos de que ninguno de los que entre al CECOT salga caminando nunca': Ministro Gustavo Villatoro," February 6, 2023, <https://www.seguridad.gob.sv/como-gabinete-de-seguridad-nos-encargaremos-de-que-ninguno-de-los-que-entre-al-cecot-salga-caminando-nunca-ministro-gustavo-villatoro/>

2. For the individuals included in the above, please provide the legal authority DHS relied on to remove the individual from the U.S. Please specify in each case whether the individual had a final removal order and under what legal authority.
3. Provide the legal authority that authorizes detention after deportation.
4. Please specify in each case if the individual had at any time prior to transfer to CECOT sought withholding of removal or withholding or deferral of removal under the Convention Against Torture and, if so, when the request was adjudicated and the outcome of the request.
5. Please confirm how many individuals were released from CECOT as part of the late July 2025 hostage exchange with Venezuela.
6. Please confirm how many individuals transferred to CECOT from the U.S. remain and what financial costs are currently being incurred by the U.S government to pay for their continued detention.
7. Provide the in-kind or financial support or payment made to any government official in exchange for accepting migrants from the U.S.

If you have any questions, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Murphy", with a stylized, cursive script.

Christopher S. Murphy  
Ranking Member, Homeland Security Appropriations Subcommittee