

Congress of the United States  
Washington, DC 20515

October 20, 2023

The Honorable Alejandro Mayorkas  
Secretary, U.S. Department of Homeland Security  
Washington, D.C. 20528

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

Dear Secretary Blinken and Secretary Mayorkas:

We are concerned by recent reports of demonstrations on U.S. soil, including student demonstrations, in support of Hamas, a designated Foreign Terrorist Organization, following the shocking terrorist attacks by Hamas on our closest ally in the Middle East, Israel. These demonstrations potentially involve student visa holders.

We write to request information regarding the potentially unlawful presence on U.S. soil of non-immigrant foreign nationals who have endorsed terrorist activity.

Student visa applicants, like all non-immigrant visa applicants, must qualify under the Immigration and Nationality Act (INA) to be approved for a visa. They are subject to a wide range of ineligibilities in Section 212(a) of the INA.

Section 212(a)(3)(B)(i)(VII) of the INA states that, “any alien - who endorses or espouses terrorist activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization... is inadmissible.” If this is apparent at the time of an applicant’s interview, the adjudicating consular officer would refuse to issue them a visa. Limited, situational exemptions to (3)(B) ineligibilities are available for individuals, depending on their personal circumstances.<sup>i</sup>

Sometimes, a serious ineligibility for an individual is discovered after they’ve been granted a non-immigrant visa. For example, a student visa holder might commit a felony, or overstay his visa, or otherwise jeopardize his status by triggering a 212(a) ineligibility. In such cases, the continuous vetting employed by the Department of Homeland Security could result in the revocation of his visa. With the concurrence of the Department of State’s issuing embassy or consulate, this should then result in the initiation of removal proceedings against the offending visa holder.

On Sunday, October 8, 2023, one day after over 1,300 mostly civilian Israelis were murdered by Hamas terrorists, the La Fuerza [the force] Student Association at California State University Long Beach held a [rally](#) to “Protest for Palestine.” The group displayed a poster featuring an image of a paraglider that resembles the terrorists who used hang-gliders to descend upon the Supernova music festival in Israel. The terrorists gang-raped young women, took hostages, and murdered more than 260 civilians.<sup>ii</sup> The same day, at George Washington University in Washington D.C., dozens of [students](#) rallied in support of Palestinian political violence. In New York City’s Times Square, Democratic Socialists of America members and allies demonstrated in support of Hamas. They [shouted slogans](#) including “smash the settler Zionist state.” According to one account, some demonstrators “held up the number seven on their hands [to indicate the number, in hundreds, of Israelis who had so far been confirmed murdered] while making throat-slitting gestures.” The Students for Justice in Palestine (SJP) chapter at Tufts University issued a statement praising Hamas terrorists as “liberation fighters” who, in their murderous attack on Israeli civilians, had shown “the creativity necessary to take back stolen land.”<sup>iii</sup> The SJP chapter at Swarthmore praised Hamas terrorists for having “valiantly confronted the imperial apparatus” of Israel, and honored the Hamas terrorists who died during the assault as “martyrs who have sacrificed their lives for liberation.”<sup>iv</sup>

Hamas is a terrorist organization, [designated](#) as such by the U.S. in 1997. In some U.S. campus demonstrations, students chanted “from the river to the sea, Palestine will be free,” which is a call for the elimination of Israel, the world’s only Jewish state—something that could only come about through violence. Others student demonstrator slogans and memes, such as the paraglider terrorist, are most reasonably interpreted as endorsing or espousing terrorism. Similarly, praising mass murder as “creative” or “valiant” and glorifying the perpetrators of such atrocities as “martyrs” are clear endorsements of terrorism and terrorist organizations.

Videos of the above and similar demonstrations, signs there exhibited, social media posts from the organizers, and common sense all suggest that at least some of the individuals at these and numerous other rallies hold F-1 Visa (student) or J-1 Visa (exchange visitor) status. Affirmative encouragement of political violence against civilians by non-immigrant visa holders would appear to meet the definition of “endorses or espouses terrorist activity” under s.212(a)(3)(B)(i)(VII).

The U.S. issued 437,018 F-1 Visas and a further 315,065 J-1 Visas in Fiscal Year 2022, the last year for which the Visa Office has released an annual report.<sup>v</sup> Foreign students contribute much to our society, but individuals who advocate terrorist violence against civilians are not welcome here. If a visa was issued before DHS uncovers evidence of a visa-holder’s ineligibility under INA s.212(a)(3)B), in the interest of national security, the individual in question should immediately have their visa revoked and face expedited deportation proceedings.

No later than November 7, 2023, please provide us with a written response to the following questions:

- (i) Does your Department have reason to believe that any current F1, J1, H1, or other non-immigrant visa holders have been rendered ineligible as a result of ‘endorsing or espousing’ terrorist activity by Hamas?

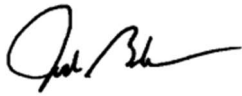
- (ii) Has your Department moved to review or revoke the visas of any such individuals and place the holder into expedited removal proceedings?

Sincerely,



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Jim Banks  
Member of Congress



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Josh Brecheen  
Member of Congress



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August Pfluger  
Member of Congress



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Mike Waltz  
Member of Congress



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Jeff Duncan  
Member of Congress



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Harriet Hageman  
Member of Congress



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Scott DesJarlais  
Member of Congress



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Ralph Norman  
Member of Congress



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Randy Weber  
Member of Congress



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Bill Johnson  
Member of Congress



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Bill Posey  
Member of Congress



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Mike Carey  
Member of Congress



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Lauren Boebert  
Member of Congress



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George Santos  
Member of Congress



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Clay Higgins  
Member of Congress



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Gus Bilirakis  
Member of Congress



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Claudia Tenney  
Member of Congress



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Brian Babin, D.D.S.  
Member of Congress



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Trent Kelly  
Member of Congress

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<sup>i</sup> <https://www.uscis.gov/laws-and-policy/other-resources/terrorism-related-inadmissibility-grounds-trig/terrorism-related-inadmissibility-grounds-exemptions>

<sup>ii</sup> The same meme was posted by the Chicago chapter of BLM, which also [tweeted](#) “We stand with Palestine & the people who will do what they must to live free.”

<sup>iii</sup> <https://www.boston.com/news/local-news/2023/10/11/tufts-group-criticized-pro-hamas-comment-israel-conflict/>

<sup>iv</sup> <https://web.archive.org/web/20231012000737/https://swarthmorevoices.com/content-1/2023/10/9/swarthmore-students-for-justice-in-palestine-in-solidarity-with-the-palestinian-resistance>

<sup>v</sup> Department of State, Bureau of Consular Affairs, “Table XVI (Part I) Nonimmigrant Visas Issued Fiscal Year 2022,” [https://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2022AnnualReport/FY22\\_TableXVI.pdf](https://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2022AnnualReport/FY22_TableXVI.pdf) (accessed October 16, 2023).