

Congress of the United States

Washington, DC 20510

June 9, 2025

The Honorable Marco Rubio
Secretary
United States Department of State
2201 C Street Northwest
Washington, DC 20520

Dear Secretary Rubio:

We're writing to follow up on the letter sent to you, on April 21, 2025, from four Members of Congress regarding Andry José Hernández Romero, an openly gay Venezuelan national with a pending asylum case in the United States¹ who is reportedly imprisoned at the Centro de Confinamiento del Terrorismo (CECOT), the maximum-security prison in Tecoluca, El Salvador.²

We are deeply concerned about the health and wellbeing of Mr. Hernández Romero, who left Venezuela after experiencing discriminatory treatment because of his sexual orientation and opposition to Venezuela's authoritarian government. As an asylum seeker, he went through the process to schedule an asylum appointment through the CBP One program and then presented himself at a legal port of entry for his appointment. He was taken into custody as his case was processed and passed a credible fear interview.

As Mr. Hernández Romero awaited a court hearing, ICE agents reportedly forcibly removed him to the CECOT prison, without due process. Mr. Hernández Romero has no criminal record, and the United States Government has presented no evidence of crimes he has committed.

Mr. Hernández Romero's family and lawyers have had no contact with him in more than a month. His mother does not even know whether he is alive. Given both the well-documented concerns about conditions at CECOT and the history of anti-LGBTQI+ persecution in El Salvador, there is serious cause for concern about Mr. Hernández Romero's well-being.

On May 14, 2025, in response to questioning before Congress, Department of Homeland Security Secretary Kristi Noem refused to commit to letting Mr. Hernández Romero's mother know that he is alive.³ No mother should have to worry that their child will be forcibly

¹ Although an immigration judge dismissed the case on May 27, 2025, Mr. Hernández Romero's attorneys have stated that they will seek an appeal of this dismissal to the Board of Immigration Appeals. *PRESS RELEASE: Judge Dismisses Andry José Hernández Romero's Asylum Case Aiding the Government's Attempts to Disappear Him*, IMMIGRANT DEFENDERS LAW CENTER (May 29, 2025), <https://www.immdef.org/blog/andryasylumcase52925>.

² Letter to Secretary Marco Rubio and Ambassador William Duncan, April 21, 2025, <https://dexter.house.gov/sites/evo-subsites/dexter.house.gov/files/evo-media-document/letter-to-rubio-duncan.pdf>.

³ Christopher Wiggins, *Kirsti Noem won't say if gay asylum-seeker deported to El Salvador's 'hellhole' prison is still alive*, ADVOCATE (May 15, 2025), <https://www.advocate.com/politics/robert-garcia-andry-hernandez-romero>.

disappeared from the United States without due process or whether their son is even alive and healthy because of the actions of the United States government.

The United States government, alone, is responsible for Mr. Hernández Romero's imprisonment. Secretary Noem said publicly that CECOT is "one of the tools in our toolkit that we will use if you commit crimes against the American people."⁴ The government has provided no evidence that Mr. Hernández Romero has committed any crimes, and even if he had, he would still be entitled to due process.

We therefore reiterate the requests in the April 21, 2025, letter for the State Department to conduct a wellness check on Mr. Hernandez Romero, facilitate his access to legal counsel, and immediately facilitate his release. We also request a briefing to update us on these efforts.

Thank you for your prompt attention to this request.

Sincerely,



Robert Garcia
Member of Congress



Adam B. Schiff
United States Senator



Mark Takano
Member of Congress



Yassamin Ansari
Member of Congress



Maxine Dexter
Member of Congress

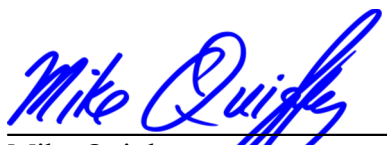


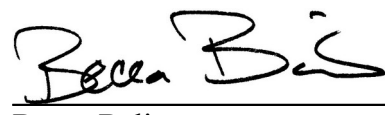
Maxwell Alejandro Frost
Member of Congress




Seth Magaziner
Member of Congress


⁴ David Culver, et al, *In notorious Salvadoran prison, US deportees live in identical cells to convicted gangsters*, CNN (Apr. 8, 2025), <https://www.cnn.com/2025/04/08/americas/el-salvador-cecot-prison-deportees>



Mike Quigley
Member of Congress

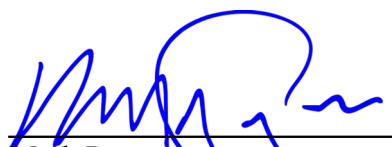

Becca Balint
Member of Congress



Pramila Jayapal
Member of Congress

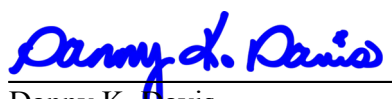

Jasmine Crockett
Member of Congress



LaMonica McIver
Member of Congress



Eleanor Holmes Norton
Member of Congress

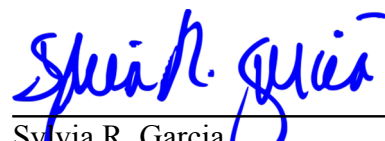

Mark Pocan
Member of Congress



Delia C. Ramirez
Member of Congress



Danny K. Davis
Member of Congress


Rashida Tlaib
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Madeleine Dean
Member of Congress


Sylvia R. Garcia
Member of Congress


J. Luis Correa
Member of Congress


Paul D. Tonko
Member of Congress



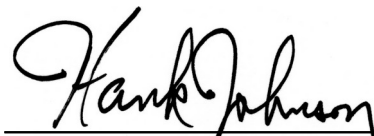
Kevin Mullin
Member of Congress



Nydia M. Velázquez
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Jesús G. "Chuy" García
Member of Congress



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



Raja Krishnamoorthi
Member of Congress



Robert J. Menendez
Member of Congress



Lloyd Doggett
Member of Congress



Jared Huffman
Member of Congress



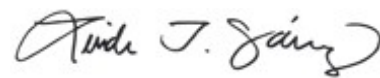
Alex Padilla
United States Senator



Sarah McBride
Member of Congress



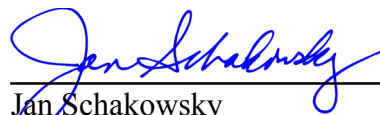
Ritchie Torres
Member of Congress



Linda T. Sánchez
Member of Congress



Ted W. Lieu
Member of Congress



Jan Schakowsky
Member of Congress



Dan Goldman
Member of Congress



John Garamendi
Member of Congress



Laura Friedman
Member of Congress



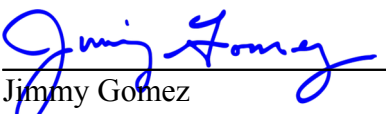
Seth Moulton
Member of Congress



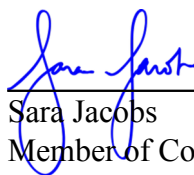
Alexandria Ocasio-Cortez
Member of Congress



Mary Gay Scanlon
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Jimmy Gomez
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Sara Jacobs
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Diana DeGette
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Stephen F. Lynch
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Brendan F. Boyle
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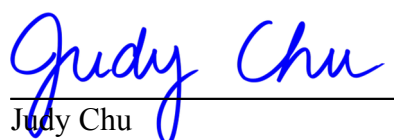
Emily Randall
Member of Congress

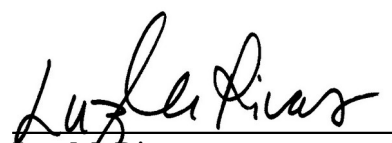


James P. McGovern
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Darren Soto
Member of Congress


Judy Chu
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Luz M. Rivas
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