



Land of the Free Act of 2025

Introduced By: Senator Peter Welch (D-Vt.); Senator Alex Padilla (D-Calif.)

Introduced in the House by: Representatives Ross (D-NC-02); Balint (D-VT-AL); Tlaib (D-MI-12); Simon (D-CA-12); Johnson (D-GA-04); Scanlon (D-PA-05); Ocasio-Cortez (D-NY-14); Lee (D-PA-12); Nadler (D-NY-12); Foushee (D-NC-04); Kamlager-Dove (D-CA-37); Randall (D-WA-06).

Background: Since January, the Trump Administration has invoked Section 237(a)(4)(C) of the *Immigration and Nationality Act (INA)* to initiate deportation proceedings against visa-holders and legal permanent residents, based on a determination by the Secretary of State that their presence or activities “would have potentially serious adverse foreign policy consequences.” The Trump Administration has weaponized this rarely used, Cold War-era provision of the *INA* in deportation attempts that have targeted individuals for speech and activism the Administration disagrees with, including against [Mohsen Mahdawi](#), [Mahmoud Khalil](#), and [Rümeysa Öztürk](#).

This provision has been used only 15 times in its 35-year existence and only twice in the last 20 years. In preliminary hearings, [courts](#) have [found](#) the Trump Administration’s use of this *INA* section as retaliation for protected speech they disagree with is likely unconstitutional. In the only reported federal judicial opinion on the constitutionality of *INA* Section 237(a)(4)(C), U.S. District Court Judge Maryanne Trump Barry [found the law](#) invoked by President Trump was unconstitutional in 1996.

Legislation: The *Land of the Free Act* will amend the *Immigration and Nationality Act* by repealing *INA* Section 237(a)(4)(C) (8 U.S.C. 1227(a)(4)(C)), thus removing the Secretary of State’s authority to deport visa holders and legal permanent residents. This will limit the Executive Branch’s power to detain and initiate deportation proceedings against residents of the United States who engage in speech the President opposes.

Since the enactment of this *INA* section, numerous grounds for deportation have been added by Congress and provide avenues for the deportation of individuals who pose a real threat to American national security, unlike the Trump Administration’s invocation to target speech it disfavors.

Supporting Organizations:

The *Land of the Free Act* is endorsed by American Civil Liberties Union, Demand Progress, Indivisible, and MPower Change Action Fund.