

Ranking Member Thompson, and members of the Committee, thank you for the opportunity to testify today.

My name is Nicole Cleland, and I am from Minnesota.

Like many Americans, I care deeply about my community and wanted to better understand what was taking place during federal immigration enforcement operations occurring in my area. I am here today because I have questions that remain unanswered, and I believe those questions deserve continued oversight by Congress.

In late 2025 and early 2026, I participated in community efforts to observe federal immigration enforcement activity in public spaces. I completed legal observer training and understood that I had the right to observe public officials carrying out their duties in public, so long as I did not interfere with their work.

On January 10, 2026, during Operation Metro Surge, a months-long immigration enforcement operation launched in Minnesota by the Department of Homeland Security, while observing federal officers from a distance, I was stopped by a Customs and Border Protection officer. The officer addressed me by name and told me that facial recognition technology had identified me. I was also warned that if I continued following officers, I could be arrested.

After the encounter, I sat in my car and replayed what had just happened. It didn't feel real. It also didn't align with my understanding of the rights I had been taught during legal observer training. I called my husband to tell him what had happened and to let him know I was okay.

I then went to the next location where observers expected federal officers to be present. As I waited, I found myself thinking about the officer's warning and whether I could actually be arrested for continuing to observe. For the first time, I felt genuinely concerned about the possibility. I was shaken. Ultimately, I decided to go home rather than continue observing.

Three days later, I received notice that my Global Entry membership had been revoked. I had been a member for more than a decade. The notice provided no meaningful explanation beyond stating that I no longer met program eligibility requirements.

Since then, I have tried to understand not only what happened, but also how it might impact me going forward.

I found myself asking questions I had never considered before. Was my passport still valid? Would I encounter problems while traveling? Had I been placed on some type of watchlist? My husband and I even took a short trip to see whether I would encounter any issues. Fortunately, I did not. My passport worked normally, and I experienced no problems during travel.

But the questions did not disappear. Even now, when I travel, I wonder whether I will encounter an issue. More broadly, I have wondered what information is being collected, what is being

monitored, and how that information is being used. Those are questions I never thought I would be asking as a citizen engaged in what I believed was lawful, protected activity.

I submitted a FOIA request in January seeking information about the decision and any records related to it. I was told that because of agency backlogs, it could take nine to twelve months to receive a response. To date, I still do not know what information was collected about me, how it was collected, how it was shared, who had access to it, or whether it played any role in the decision to revoke my membership.

I want to be clear: my purpose here today is not about losing the privilege of Global Entry. It is about the how and the why behind it. It is about the implication for Americans everywhere who may be in danger of this happening to them as well. It is about preventing chilling tactics from becoming a norm. If I can be punished for speaking out, then any one could be at risk.

I cannot speak to the motivations of the officials involved. What I can say is that after engaging in lawful activity protected by the First Amendment, I was identified by name through surveillance technology, warned against continuing that activity, and then subjected to a government decision that affected me. Months later, I still do not understand the basis for that decision.

That lack of transparency is what concerns me. As an American citizen, it is my understanding that I have certain unalienable rights. To learn that I have been watched, scrutinized, and possibly punished for participating in those rights has been a surprising and unsettling experience.

The experience has also changed my own behavior. Where I was once enthusiastic to engage and help my community in its time of need, I am now more hesitant to participate in the kinds of lawful community observation activities that I previously engaged in. I do not know what consequences might follow. Whether that concern is warranted or not, it is real, and it has had a genuine impact on my life.

One reason I agreed to testify is that I know there are others who are not willing to do so. Whether their concerns are justified or not, they are concerned enough about potential consequences that they do not want their names associated with these issues publicly. That reluctance to speak openly is itself a reason for why continued oversight is essential. Friends and community members are afraid of what will happen to them and their loved ones for simply exercising their legal right to observe what was happening in their own neighborhoods.

My concern extends beyond my own experience. Americans should not have to wonder what information the government is collecting about them, how that information is being used, or whether it could affect them for engaging in lawful civic activity protected by the Constitution. I am a testament to the effect that these surveillance tactics can have. When the government uses its tools to track citizens observing public officials, it sends a clear message: speak up, and you will be targeted. This creates a chilling effect that erodes the fabric of our democracy.

I am not asking this Committee to reach conclusions about my case. I am asking you to continue asking questions.

How is information being collected? How is it being shared? What safeguards exist to prevent misuse? What protections exist for Americans engaged in lawful First Amendment activity? And when government decisions are made, what level of transparency and accountability should the public expect?

Those are the questions that brought me here today. Those are the questions that need to be clearly answered and defined for the American people in order to preserve our democracy. Without those answers, we are left to wonder what type of surveillance actions and retaliation are being carried out by our government. That creates confusion, and confusion is dangerous; that confusion can be weaponized to do more harm. Please seek these answers, so that our institutional guardrails remain strong and protective.

Thank you for your time, and I look forward to your questions.