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## AILA Statement Submitted to House Judiciary Committee Oppose H.R. 175 “Deport Alien Gang Members Act”

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The American Immigration Lawyers Association urges the House Judiciary members to oppose [H.R. 175](#), the “Deport Alien Gang Members Act.” While combatting organized criminal activity and ensuring public safety are essential law enforcement functions, this bill undermines those goals. Due to its vague terms and overly broad drafting, the bill will result in Immigration Customs and Enforcement (ICE) and other federal law enforcement agencies targeting people with no gang involvement or who pose no threat to public safety. Instead of protecting crime victims, it will put them at greater risk. As a result of its overbreadth, the bill could wrongly block access to all forms of immigration status, including asylum, relief under the Convention Against Torture, and other humanitarian protection for people who legitimately qualify and have no criminal history.

At a time when [65% of American voters are concerned about the violence](#) and unlawful abuses committed by ICE and Border Patrol, Congress should reform these agencies and impose clear constraints to stop dangerous practices. This bill does the opposite by encouraging these agencies to engage in racial or other impermissible profiling. Contrary to the Administration’s claims that it is targeting the “worst of the worst,” ICE is arresting people who have lived in the country for years and pose no threat to public safety, including Dreamers, [recipients of DACA](#), and others applying for [legal immigration status](#). Of the people ICE has detained, [7 out of 10 have no criminal conviction](#).

Congress must ensure the American public is safe and protected. However, H.R.175 is not the answer. It will not advance the enforcement of immigration law and will lead to more dangerous practices that violate due process and cause grave harm to communities.

### **The bill will result in targeting, detention, and deportation of people with no criminal record and who pose no threat.**

H.R. 175 will create an overly broad definition of “criminal gang” that allows ICE and other federal law enforcement to target people for mere suspicion, association, or contact with people who may be involved in criminal activity. An officer only needs to assert a subjective belief that the person is a gang member or has helped further gang activity. As a result, the bill allows for “guilt by association” and requires no conviction, charge, or even that the person commit criminal activity. Once deemed a gang member, or to have helped further organized criminal activity, they are subject to mandatory detention, deportation, and barred from legal immigration status (under new inadmissibility and deportability grounds).

**H.R. 175 will undermine due process and allow for racial and other impermissible profiling.**

The bill's overly broad definition of gang or organized criminal activity will lead to ICE making wrongful allegations without providing recourse for people to challenge them. Gang allegations are often based on incomplete or disputed information, and gang databases can be [highly inaccurate](#). In 2025, DHS wrongly deported men to El Salvador's notorious CECOT prison relying upon [faulty information](#) that they were gang members—many had no criminal history and had lived for years in the United States. Under the bill, an ICE agent or other DHS or DOJ official only needs to articulate a “reason to believe” someone is a member, or promoted, conspired with, aided, or participated in the activities of a criminal gang or other group inside or outside the U.S. This low standard and lack of procedural safeguards opens the door to ICE arresting people without adequate justification and to [using biased forms](#) of [targeting](#) and [profiling](#) based on [race](#), language, ethnicity and other factors.

**Existing law provides DHS with ample authority to stop dangerous, organized criminal activity.**

H.R. 175 is duplicative and unnecessary. Federal immigration law already gives DHS expansive authority to arrest, detain, and deport people convicted of serious crimes, or who have engaged in violent criminal activity or otherwise pose threats to public safety. The Immigration and Nationality Act (INA) bars people from entering the country or from obtaining immigration status and mandates their detention if they have committed or been convicted of a wide range of misdemeanor and felony offenses. For example, see INA sections 212, 237, and 236(c).

**The bill will undermine local law enforcement efforts.**

Effective law enforcement depends on trust in police and enforcement agencies. H.R. 175 will deter victims, witnesses, and informants from cooperating with local law enforcement and make it harder to investigate crimes. Gangs and cartels commonly coerce people to participate in behaviors that would qualify as gang activity under H.R. 175. For example, women and girls are forced into relationships with gang members, and gangs extort money from people under threats of violence and death. These people can provide crucial information to law enforcement but could be labeled as a gang member or having furthered gang activity under the bill, be subject to mandatory detention, and barred from immigration relief. The bill does not adequately distinguish between voluntary participation and conduct compelled by force, threats, or exploitation. Victims and survivors would face the same immigration consequences as perpetrators.

**H.R. 175 could block people with no criminal background from all forms of legal immigration status.**

People determined to fall under this bill's subjective, overly broad terms could be barred from all forms of immigration status including protections for extremely vulnerable populations such as parole, asylum, temporary protected status (TPS), and special immigrant juvenile status for neglected or abused children.

**Conclusion**

Stopping organized criminal activity and ensuring Americans are safe should be Congress's top priorities. Any legislation must be appropriately tailored and focused on individuals who actually commit serious crimes and pose a threat to public safety. But H.R. 175 is a blunt instrument that will allow ICE to target the wrong people and undermine law enforcement cooperation and public safety.

Congress should protect victims, survivors, and other vulnerable populations, not put them at greater risk or block them from immigration status based on inaccurate information. Congress should reject H.R. 175 and instead pass reforms that will ensure DHS enforces the law in an effective, fair, and humane manner.