

119TH CONGRESS
1ST SESSION

H. R. 6521

To restrict the Department of Homeland Security from arresting or detaining individuals in connection with appearances before immigration courts of the Executive Office for Immigration Review, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2025

Mr. GOLDMAN of New York (for himself, Mr. ESPAILLAT, Ms. VELÁZQUEZ, Mr. GARCIA of California, Ms. OCASIO-CORTEZ, Mr. MANNION, Mr. PETERS, Mr. LIEU, Ms. CLARKE of New York, Ms. MENG, Mr. CARBAJAL, Mr. TORRES of New York, Ms. BARRAGÁN, Ms. NORTON, Ms. CRAIG, Mr. GARCÍA of Illinois, Mr. KRISHNAMOORTHY, Ms. PINGREE, Mr. JOHNSON of Georgia, and Mr. TONKO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To restrict the Department of Homeland Security from arresting or detaining individuals in connection with appearances before immigration courts of the Executive Office for Immigration Review, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Immigration Court
5 Due Process Protection Act of 2025”.

1 **SEC. 2. RESTRICTIONS ON ENFORCEMENT AT IMMIGRA-**
2 **TION COURTS.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law except as otherwise provided explicitly in this
5 section, officers or agents of the Department of Homeland
6 Security may not—

7 (1) arrest or detain any individual while that
8 individual is physically present at an Executive Of-
9 fice for Immigration Review immigration court facil-
10 ity for the purpose of attending or participating in
11 a hearing, except pursuant to a judicial warrant; or

12 (2) arrest or detain any individual immediately
13 upon their arrival or departure from an Executive
14 Office for Immigration Review immigration court fa-
15 cility if they are arriving or departing the facility for
16 the purpose of attending or participating in a hear-
17 ing, except pursuant to a judicial warrant.

18 (b) PENDING PROCEEDINGS.—The restrictions on
19 enforcement described under this section shall apply to
20 any individual whose proceedings before an immigration
21 judge or the Board of Immigration Appeals have not re-
22 sulted in a final order of removal, and shall apply to any
23 individual during the pendency of any appeals or motions
24 to reopen, reconsider, or otherwise challenge a final order
25 of removal.

1 (c) EXCEPTION.—Nothing in this section may be con-
2 strued to prohibit an officer or agent from taking action
3 when necessary to prevent an imminent act of violence or
4 specific, articulable threat to life, public safety, or national
5 security.

6 (d) ARRESTS AT SCHEDULED CHECK-INS.—An offi-
7 cer or agent of the Department of Homeland Security may
8 not arrest or detain any individual while the individual ap-
9 pears for a scheduled appointment or check-in with any
10 component of the Department of Homeland Security, or
11 upon their arrival or departure for such appointment or
12 check-in, unless—

13 (1) written authorization for arrest or detention
14 is approved by a supervisory official of the Depart-
15 ment, at a level not lower than the senior field man-
16 agement level, specifying the legal basis for arrest;
17 and

18 (2) the arrest or detention is reported to the In-
19 spector General within 30 days, and included in the
20 report required under section 3.

21 **SEC. 3. OVERSIGHT.**

22 On the date that is 1 year after the effective date
23 of this Act, and annually thereafter, the Inspector General
24 of the Department of Homeland Security shall submit to
25 Congress a report evaluating compliance with this Act by

1 officers and agents of the Department of Homeland Secu-
2 rity, including—

3 (1) The number of attempted and completed ar-
4 rests referred to in section 2.

5 (2) The basis for each such arrests.

6 (3) The procedural posture of each individual's
7 immigration case who was arrested.

8 (4) Steps taken by the Secretary of Homeland
9 Security to ensure compliance, including information
10 provided as guidance or training to employees of the
11 Department of Homeland Security.

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