

Congress of the United States

Washington, DC 20515

January 15, 2026

The Honorable Mark Amodei
Chairman
Subcommittee on Homeland Security
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

The Honorable Henry Cuellar
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Chairman Amodei and Ranking Member Cuellar,

We write regarding the upcoming Homeland Security Appropriations bill to express deep concern with the continued expansion of Immigration and Customs Enforcement (ICE) detention and enforcement activities absent basic compliance with the law, transparency, or congressional oversight. As Members of Congress who have closely monitored ICE operations since the start of this Administration, we cannot support further ICE funding without firm statutory guardrails and meaningful reforms.

Across the country, ICE has increasingly relied on aggressive enforcement tactics, excessive use of force, and ad hoc detention practices that violate both Department of Homeland Security (DHS) policy and fundamental norms of due process. Field offices and processing centers never designed for detention are now being used to hold people for days at a time, often without adequate medical care, access to counsel, or timely notification of families. These practices are not isolated incidents. They represent a national pattern that Congress must address directly.

These failures are compounded by ICE's increasingly opaque operational posture, including the widespread use of masked agents during civil enforcement actions. There is currently no uniform, nationwide policy governing agent masking, creating serious concerns for accountability and civil liberties. Civil immigration enforcement must not resemble unaccountable paramilitary activity, particularly when agents are operating in local communities and around families.

Recent events, including the recent tragic event in Minneapolis, underscore why Congress must act. As [reported](#) publicly, DHS has sought expanded reprogramming authority to shift funds internally in ways that would further accelerate enforcement and detention operations without congressional approval. Given ICE's track record, DHS has not earned the trust required for flexible funding authority. Allowing unchecked reprogramming would only exacerbate existing abuses and further undermine congressional power of the purse.

Accordingly, we cannot vote for a Homeland Security Appropriations bill that does not:

1. Freeze ICE Enforcement and Removal Operations funding at or below Fiscal Year 2024 enacted levels. No increases above that level should be provided without strict conditions on demonstrated compliance with detention standards, civil rights protections, and transparency requirements.
2. Prohibit the use of ICE field offices and processing centers for overnight or multi-day detention. Congress should require that all individuals be transferred to compliant detention facilities within a

fixed number of hours, with mandatory notification to their attorney of record and an identified family member prior to transfer.

3. Require ICE to issue and enforce a nationwide policy prohibiting the routine use of masks by agents during civil enforcement actions.
4. Reaffirm and strengthen language guaranteeing immediate access for Members of Congress and designated staff to any DHS facility used to detain or hold individuals, without advance notice or administrative delay.
5. Require regular public reporting on length of stay in field offices, medical staffing levels, complaints received, and corrective actions taken, disaggregated by facility.
6. Require ICE to publicly report, on a quarterly basis, all instances in which United States citizens or lawful permanent residents are stopped, detained, questioned, or held by ICE. Reports should include the duration of detention, the asserted basis for the action, how citizenship or lawful status was verified, whether force or restraints were used, and whether the individual was transferred or released.
7. Condition the obligation or expenditure of funds for ICE Enforcement and Removal Operations on the full reinstatement and independent operation of ICE's Office of Professional Responsibility and DHS oversight entities, including the Office for Civil Rights and Civil Liberties and the Office of the Immigration Detention Ombudsman. DHS should be required to certify to Congress that these offices are fully staffed, retain independent investigative authority, and may transmit findings directly to Congress without alteration, delay, or political interference.

The appropriations process is one of the most powerful tools Congress has to enforce the law, protect civil liberties, and ensure responsible use of taxpayer dollars. ICE has demonstrated, repeatedly, that it will push the limits of its authority unless Congress draws clear lines.

As such, we intend to oppose any Homeland Security funding bill that expands ICE's resources or flexibility without these safeguards.

Sincerely,


Seth Moulton
Member of Congress


Yassamin Ansari
Member of Congress