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Vote Recommendation: AILA Urges NO Vote on FY2026 Homeland Security Appropriations Bill

January 21, 2026

The American Immigration Lawyers Association (AILA) urges Congress to vote NO on the FY2026 Homeland Security Appropriations bill.

Supporting this bill would facilitate the continued expansion of a massive immigration enforcement and detention system that is operating without meaningful accountability to Congress or the American people. The bill will enable ICE to arrest and detain an ever-growing number of people, the vast majority of whom (92 percent) have no criminal conviction despite the Administration's claims that it is pursuing the "worst of the worst." These funds will further enlarge the coffers of private contractors, including the private prison industry, already benefitting from the massive infusion of \$170 billion Congress provided to the Department of Homeland Security (DHS) in the One Big Beautiful Bill Act (OBBA) just months ago.

The oversight elements of the FY 2026 DHS spending bill are wholly insufficient to check the harmful, unlawful, and deadly policies DHS is implementing that are endangering American communities. The harm of giving another blank check to DHS far outweighs reasons to support this bill. The country needs a fair, orderly, and efficient immigration system – not one that is uncontrolled, unaccountable, and continues to bring chaos to your constituents' doorsteps.

The DHS bill will fund the expansion of a dangerous detention system that led to one of the deadliest years in decades for people in DHS custody. The OBBA already allocated \$45 billion for expanding immigration detention, enabling ICE to nearly double the number of people detained in the past year, reaching a current record of about 73,000 people. Moreover, detention facilities are plagued by inadequate medical care, poor conditions, and abusive behavior by facility staff, including sexual assault. More beds without accountability will only compound this crisis.

Congress should be conducting oversight, not enabling expansion. Many leaders in Congress are properly demanding greater accountability. But the FY 2026 DHS bill does not provide anything close to the necessary accountability mechanisms to constrain the lawless, deadly actions DHS is engaging in under the guise of providing safety to American communities. Lawmakers must require that DHS responsibly spend the funds already provided.

For these reasons, AILA urges you to VOTE NO against the conference FY2026 DHS appropriations bill and to insist upon accountability to the legislative branch that funds DHS.