

To: Members of Congress
From: AILA (and other organizations, not listed)
Date: January 25, 2026
Re: **What Does Justice Look Like in a Renegotiated DHS Spending Bill?**

In the wake of the brutal killings of Keith Porter, Renee Nicole Good, Silverio Villegas González, and Alex Pretti, and as communities live in fear while federal agents unleash tear gas and violence in their neighborhoods, Members of Congress must meet the moment. **This memo outlines ten meaningful measures Members of Congress should demand be included in any DHS spending bill before providing their yes vote.** This is not an exhaustive list. These provisions should be written to apply regardless of the source of funds, including appropriated funds and funds provided through H.R.1, and designed to meaningfully stop harmful and abusive enforcement measures in our communities.

Demands for the White House: No votes on any DHS spending package until the complete withdrawal of DHS and federal agents from U.S. communities, beginning immediately with Minnesota and Maine.

Demands for inclusion in DHS spending package (proposed legislative language in italics):

1. Halt ICE and/or Border Patrol spending until full Congressional investigation
 - a. *No funds made available in this Act or any other Act for immigration enforcement in the interior of the United States may be used until a full Congressional investigation is conducted into:*
 - i. *use of force, including deadly force, by federal civil immigration officials*
 - ii. *whether the administration has targeted cities for major enforcement operations on the basis of racial profiling or political retribution*
 - iii. *the deaths of Renee Nicole Good, Alex Pretti, Keith Porter and Silverio Villegas González.*
 - b. *Further, no funds made available in this Act or any other Act for immigration enforcement in the interior of the United States may be used until DHS certifies to the relevant congressional committees that it has provided and will continue to provide full cooperation with state and local authorities conducting any investigation into the conduct of DHS personnel engaged in immigration enforcement operations, including but not limited to sharing evidence collected by federal officials.*
2. Stop immigration enforcement based on racial profiling (end Kavanaugh stops)
 - a. *In accordance with federal law including the Fourth Amendment of the Constitution, no funds made available to DHS in this Act or any other Act may be used by any officer or employee of DHS to make an investigative stop, arrest or detention, based on the following factors or combination of factors: 1) presence at locations like bus stops, car washes, sites at which day laborers are hired, picked up, or recruited, agricultural sites, etc.; 2) the job, career, or type of work the person performs; 3) speaking Spanish or another non-English language or speaking English with an accent; and 4) apparent race, color, religion, sex, national origin or ethnicity.*

3. Ensure accountability for abuses by federal officers and end qualified immunity
 - a. Enact the [Qualified Immunity Abolition Act of 2026](#)
 - b. *No funds made available to DHS in this Act or any other Act may be utilized [or certain accounts will be fully withheld] until enactment of the [Qualified Immunity Abolition Act of 2026](#) (which provides/reinforces civil liability for violations of constitutional and civil rights (i.e. restore Bivens)).*
4. Stop mission creep
 - a. *No funds made available to DHS in this Act or any other Act may be used to engage in civil immigration enforcement activities in the interior of the United States (defined as more than 50 miles from a land or sea border), such as investigative stops, arrests, custodial detention, removals, or referrals, processing, or issuance of charging documents, using personnel, resources, or capabilities other than those of ICE Enforcement and Removal Operations, including through joint operations with other federal agencies or entities including but not limited to the Federal Bureau of Investigations, the Drug Enforcement Administration, and Park Police.*
5. Stop enforcement at sensitive locations
 - a. *No funds made available to DHS in this Act or any other Act may be used to engage in any enforcement action, including an apprehension, arrest, interview, request for identification, investigative stop, search, or surveillance for the purposes of immigration enforcement (including enforcement actions that are part of a joint case led by another law enforcement agency), that takes place at, is focused on or occurs within 1,000 feet of a sensitive location as defined in the [Sensitive Locations Act, H.R. 1061/S. 455](#).*
6. Stop warrantless arrests
 - a. *Notwithstanding any other provision of law, no funds made available to DHS in this Act or any other Act may be used by any officer or employee to make a civil immigration investigative stop, arrest or detention, without a judicially enforceable warrant issued by a magistrate judge or an Article III judge duly confirmed by the Senate.*
7. Stop family detention and halt any new contracts for private detention
 - a. *No funds made available to DHS in this Act or any other Act may be used for the custodial detention for civil immigration enforcement of children under the age of 18 or families.*
 - b. *No funds made available to DHS in this Act or any other Act may be used to enter into or extend any contract or agreement with any public or private for-profit entity that owns or operates a detention facility for use of such facility to detain non-citizens for civil immigration enforcement.*
8. Repeal the Alien Enemies Act or withhold funds for its use
 - a. Enact the [Neighbors Not Enemies Act](#) (repealing Section 4067 through 4070 of the Revised Statutes of the United States (50 USC 21-24)); OR

- b. *No funds made available to DHS in this Act or any other Act may be used to implement Sections 4067 through 4070 of the Revised Statutes of the United States (50 USC 21-24), in part or whole.*
- 9. End the expansion of harmful 287(g) agreements
 - a. *No funds shall be made available to DHS in this Act or any other Act to enter into new agreements under section 287(g) of the Immigration and Nationality Act.*
- 10. End Operation PARRIS
 - a. *No funds made available in this Act or any other Act may be used for indiscriminate arrests of lawfully present refugees in Minneapolis and Maine or any other city and no funds made available to DHS in this Act or any other Act may be used for similar operations targeting refugees.*