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Vote Recommendation to Congress: Block Any Continued Funding for ICE and CBP

Restore Safety to American Communities

February 12, 2026

Americans are still in shock and mourning over the recent killing of Alex Pretti, Renee Good and several others by ICE and Border Patrol agents. In February, ICE continued many unlawful and dangerous practices that are eroding public safety. Despite the public outcry, the White House is rejecting Congress's reasonable reform demands, including ones requiring compliance with the law.

As the national bar association of 18,000 immigration attorneys, **the American Immigration Lawyers Association (AILA) urges Congress to refuse any funding for ICE and CBP, including a short-term continuing resolution, until enforceable reforms are put in place and safety is restored to American communities.**

At this critical moment, Congress has an opportunity to exercise leadership by insisting on reforms that ensure both public safety and lawful, humane enforcement. Those are non-negotiable principles that Republicans and Democrats can agree on. Congress must enact enforceable guardrails that hold ICE and CBP accountable to abide by the rule of law and constitutional standards.

Polls show Americans want Congress to restore public safety and rein in these agencies.

- 65% of Americans disapprove of how ICE is enforcing immigration laws, according to PBS/NPR/Marist, and another poll showed 63 percent of voters disapprove, Quinnipiac.
- 62% of Americans believe ICE is reducing Americans' safety.

Americans expect ICE and CBP to respect the Constitution and rule of law. No other federal, state, or local law enforcement operates above the law. Decades of smart policing practices have established standards to protect the public and enhance the effectiveness of law enforcement. Federal agents are no exception, and ICE and Border Patrol must be held accountable for lawless practices. After one year, the Administration's abandonment of legal standards has resulted in devastating consequences, including multiple killings. Consequences should be imposed to ensure compliance with the law and Constitution.

AILA recommends Congress enact the following.

Congress should reduce the funds previously provided to ICE and CBP that are enabling these harmful practices. In addition, Congress should redirect billions in the OBBBA away from these

agencies and to more critical DHS functions, such as FEMA and TSA, and for other human needs. A [majority \(51%\)](#) of voters think ICE funding should be reduced.

1. No one is above the law. Violations of legal standards should carry enforceable consequences to check harmful practices by officers and the agency. If an arrest is made or evidence is gathered in violation of the standards described above, judges should block use of the evidence or dismiss the case. Wrongful ICE practices should also have consequences, as do violations by police in criminal cases.
2. Americans have a right to be treated fairly by the law enforcement agencies charged with protecting them. No one should be targeted because they [appear or sound foreign](#). Congress should prohibit racial profiling and profiling based on a person's language, job or where they are located. [Pew Research Center](#) polling showed 72% of Americans disapprove of stopping people based on appearance or language.
3. Federal officers should be required to establish probable cause and [obtain warrants](#) from a judge or independent body before making arrests or entering someone's home or private property. All law enforcement agencies abide by these well-established principles—so should ICE and Border Patrol.
4. Americans expect their families and children to be safe from the intrusion of aggressive law enforcement at [church, school](#), the hospital or courthouses. At these and other sensitive locations, ICE should be barred from conducting operations and arresting people for civil immigration enforcement. Exceptions should only be allowed if public safety or national security is threatened.
5. Detention is costly to American taxpayers and subjects people to inhumane, substandard conditions. Alternative, more effective solutions exist to ensure compliance with immigration law. Congress should block funding for family detention to stop the jailing of families and children, such as 5-year-old Liam Conejo Ramos and his father. Congress should strip out the \$45 billion for detention in the OBBBA. Contrary to DHS claims that it arrests the “worse of the worst” [92 percent](#) of people detained have no criminal conviction.

Transparency measures such as mandating body-worn cameras and unmasking are also necessary and have overwhelming [public support](#). But it is even more critical that Congress set enforceable standards with clear consequences to check ICE and Border Patrol. To protect American communities Congress should enact the reforms listed above and those [AILA recommended here](#).