

January 29, 2026

*Via Electronic Mail*

The Honorable Charles E. Schumer  
Senate Minority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

***Re: Urgent Concerns Regarding DHS Appropriations and  
Constitutional Violations***

Dear Leader Schumer:

We, the undersigned civil and human rights organizations, write regarding the U.S. Senate's imminent vote on Fiscal Year 2026 funding for the U.S. Department of Homeland Security (DHS). The egregious conduct of DHS and its enforcement arms has eroded public trust and demands immediate action by Congress to rein in this rogue, taxpayer-funded, paramilitary force that has been operating beyond the constraints of the law without any accountability. We appreciate that many senators have voiced opposition to voting for DHS funding without restrictions.<sup>1</sup>

We urge you to oppose any effort to advance DHS appropriations. When you are able to decouple the other appropriation bills, Congress must first secure restrictions to address these abuses, and to decouple the remaining appropriations bills so Congress can fund those agencies while negotiations on DHS restrictions continue.

The U.S. Immigration and Customs Enforcement (ICE) and U.S. Border Patrol, as currently constituted, are irredeemable and no longer serve a legitimate public safety purpose. DHS enforcement arms have become engines of fear, racialized violence, and wanton civil rights and constitutional abuses. DHS's supersized budget—thanks in large part to the so-called “One Big Beautiful Bill”<sup>2</sup>—has fueled the dismantling of basic civil rights and civil liberties protections and has escalated federal lawlessness at unprecedented levels. The legitimacy of these agencies in the eyes of the American

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<sup>1</sup> See Sam Gringlas, *In the wake of Alex Pretti's death, Congress appears on track for a partial shutdown*, NPR (Jan. 26, 2026), <https://www.npr.org/2026/01/26/nx-s1-5686473/senate-democrats-to-vote-against-dhs-funding-setting-up-potential-partial-shutdown>.

<sup>2</sup> See Margy O'Herron, *Big Budget Act Creates a “Deportation-Industrial Complex”*, Brennan Center for Justice (Aug. 13, 2025), <https://www.brennancenter.org/our-work/analysis-opinion/big-budget-act-creates-deportation-industrial-complex>.

people is collapsing as more horrific stories of terror and abuse fill our news feeds on a constant basis.<sup>3</sup> Ultimately, it is our belief that ICE should be fully dissolved and replaced with humane enforcement of comprehensive immigration law reforms that respect all civil and human rights, including pathways to naturalization, asylum, and compassionate repatriation, as necessary.

Americans of all political stripes are gathering in the streets all over the country to register their opposition to DHS's lawless crusade. Congress, too, must do its part. The U.S. Senate must choose to exercise its Article I constitutional power of the purse<sup>4</sup> to immediately restrain this administration or be complicit in the violence that predictably follows from unchecked funding. At a minimum, any future appropriation for DHS enforcement operations must be conditioned on immediate and enforceable restrictions and accountability *before any such funding is voted on*, including:

1. Drastically reduce ICE and Border Patrol enforcement activities, including the full elimination of militarized and roving, interior federal law enforcement activities targeting Black and Brown immigrant communities and the neighbors who defend them.
2. End the targeting of specific cities and communities, based improperly on racial, ethnic, or national origin demographics or the political affiliation of local leadership, and restrict Border Patrol operations to legitimate port-of-entry functions.
3. Prohibit all profiling based on protected classes like race, ethnicity, religion, or national origin and impose anti-discrimination protections that are legally enforceable by private actors in the community.
4. Cease federal engagement with protesters and remove federal agents from crowd control and protest response entirely.
5. Legislatively provide a private right of action for individuals to seek legal remedies in a court of law for statutory or constitutional violations by an agent of the federal government through the Bivens Act, which should be included in any DHS funding package.
6. Mandate full transparency and independent investigation of all reported abuses by federal agents, including full cooperation and information sharing with state and local authorities conducting their own independent investigations.
7. Explicitly prohibit the use of appropriated funds for any entry on private property by DHS agents without a judicial warrant.

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<sup>3</sup> See Adam Wren, *New polling memo urges Senate Dems to 'play hardball' on ICE*, POLITICO (Jan. 28, 2026), <https://www.politico.com/news/2026/01/28/ice-polling-memo-searchlight-00751569>.

<sup>4</sup> U.S. Const. art. I, § 9, cl. 7.

8. Prohibit all federal agencies engaged in immigration and law enforcement activities from requesting, accessing, collecting, and/or acquiring data and intelligence about immigrants and protesters from state and local governments, private data brokers, and other federal agencies. Require the deletion of any data collected from state and local governments, private data brokers, and other federal agencies, and regarding people or groups for First Amendment-protected activity and provide notice to individuals and groups whose data was collected.
9. Require officers to turn on available body-worn cameras during enforcement operations and ensure all surveillance footage is controlled by an independent entity and is publicly accessible; prohibit masks; and require clearly visible identification by officers.

While we understand some of these restrictions are currently under consideration, it is essential that the Senate require all of them to fully address the current crisis.

This past weekend laid bare the danger of allowing DHS to continue its campaign with no accountability. Masked federal agents shot and killed Alex Pretti<sup>5</sup>, who was an intensive care unit nurse in a VA hospital, while he was attempting to assist a woman who had been violently pushed by federal officers while peacefully protesting in Minneapolis. Available video evidence shows a team of federal agents spraying Mr. Pretti with chemicals, then beating him and firing multiple shots at close range while he was restrained. Mr. Pretti was a U.S. citizen and a licensed gun owner. There is no indication he posed an imminent threat, based on all available video footage. In fact, evidence clearly shows he was disarmed and fully restrained before he was killed. What followed was an immediate fusillade of lies from top federal officials, trying to justify what can only be described as an execution.<sup>6</sup>

Mr. Pretti's killing came just days after the shooting death of Renée Good<sup>7</sup>, the fatal shooting of Keith Porter<sup>8</sup> by an off-duty ICE agent, the shooting of Julio Cesar

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<sup>5</sup> See Yahya Abou-Ghazala & Casey Tolan, *Videos appear to show federal officer took gun away from Alex Pretti just before fatal shooting, CNN analysis finds*, CNN (Jan. 24, 2026), <https://www.cnn.com/2026/01/24/us/invs-videos-show-federal-officer-recovered-gun>.

<sup>6</sup> See Julia Manchester, *Trump says he didn't hear officials call Alex Pretti 'a domestic terrorist'*, The Hill (Jan. 27, 2026), <https://thehill.com/homenews/5709270-trump-comments-pretti-shooting/> (Stephen Miller calling Pretti a “would-be assassin” who “tried to murder federal law enforcement”; and Secretary Kristi Noem saying Pretti “attacked” federal agents, brandished a firearm, and that the incident an act of “domestic terrorism.”)

<sup>7</sup> See Tim Stelloh, Minyvonne Burke & Selina Guevara, *Woman fatally shot by ICE officer remembered as 'one of the kindest people'*, NBC News (Jan. 9, 2026), <https://www.nbcnews.com/news/us-news/renee-nicole-good-minneapolis-ice-shooting-victim-caring-neighbor-rcna252901>.

<sup>8</sup> See Andrea Flores, Libor Jany & James Queally, *Man killed by off-duty ICE agent in Northridge*

Sosa-Celis<sup>9</sup> in the leg, and reports that masked federal agents detained a five-year-old child, Liam Ramos<sup>10</sup>, as he returned home from preschool. In another incident in Minnesota, ICE agents broke into a private residence without a judicial warrant and forced ChongLy Scott Thao<sup>11</sup>—a U.S. citizen with no criminal record—out into the snow, barely clothed and in front of his family, including his five-year-old grandson, who watched in terror from their couch.

Each of these incidents is horrifying on its own. Taken together, they reflect a rapidly intensifying pattern of relentless and unaccountable violence by federal immigration authorities. These events are incompatible with the rule of law and with any functioning democracy. No democracy can tolerate an administration that allows peaceful protesters to be killed, children to be seized, and entire neighborhoods to be terrorized in the name of “immigration enforcement.”

The U.S. Senate must now decide whether it will become complicit in this ongoing violence, left unchecked without vital funding restrictions, or exercise its constitutional power to impose immediate restraint. The latter is the only tenable solution if we purport to uphold any semblance of a democracy. Continuing to fund this lawless, paramilitary force without congressional restrictions will only guarantee more deaths, more terrorized communities, more chaos on our streets, and a deeper erosion of our democratic institutions and the rule of law.

This moment demands moral leadership. The Senate would be wise to exercise it.

Signed,

Marc H. Morial  
President and Chief Executive Officer  
National Urban League

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*identified by community; vigil Sunday* (Jan. 3, 2026), <https://www.nbcnews.com/news/us-news/renee-nicole-good-minneapolis-ice-shooting-victim-caring-neighbor-rcna252901>

<sup>9</sup> See Natalie Neysa Alund, *Officials identify man shot in leg by federal officer in Minneapolis*, USA TODAY (Jan. 15, 2026), <https://www.usatoday.com/story/news/nation/2026/01/15/julio-cesar-sosa-celis-minneapolis-shooting/88197062007/>.

<sup>10</sup> See Nicholas Bogel-Burroughs & Sonia A. Rao, *Detention of 5-Year-Old by Federal Agents Incenses Minneapolis*, N.Y. Times (Jan. 22, 2026), <https://www.nytimes.com/2026/01/22/us/liam-detention-ice-minneapolis.html>.

<sup>11</sup> See See Maia Coleman, *ICE Arrest of a Citizen, Barely Dressed, Sows Fear in Twin Cities*, N.Y. Times, (Jan. 20, 2026), <https://www.nytimes.com/2026/01/20/us/chongly-scott-thao-ice-arrest.html>.

Reverend Al Sharpton  
Founder & President  
National Action Network

Melanie L. Campbell  
President and Chief Executive Office  
National Coalition on Black Civic Participation  
Convener, Black Women's Roundtable

Derrick Johnson  
President and Chief Executive Officer  
NAACP

Janai Nelson  
President and Director-Counsel  
Legal Defense Fund

Damon Hewitt  
President and Executive Director  
Lawyers' Committee for Civil Rights Under  
Law

Shavon Arline-Bradley  
President and Chief Executive Officer  
NCNW