

# 10 TO END ICE

## Our Analysis: Why the Democrats 10 ICE Reform Demands are Not Enough

Updated Feb 9, 2026

On February 4, 2026, House Democratic Leader Hakeem Jeffries and Senate Democratic Leader Chuck Schumer sent a joint letter to Republican leadership outlining ten "common sense reforms" they argue are necessary before Democrats will fund the Department of Homeland Security. The letter followed the fatal shootings of Renee Good and Alex Pretti by ICE and U.S. Customs and Border Protection in Minneapolis last month—incidents that sparked nationwide protests and scrutiny of ICE and Customs and Border Protection practices.

Congressional Democrats have framed their package as essential to "rein in ICE and stop the violence," threatening to block Homeland Security funding unless reforms are enacted.

**We've evaluated each of their ten proposals against the 5 A's**—a framework assessing whether proposals genuinely constrain ICE's power or are largely symbolic. While the package addresses real harms and reflects public concern about enforcement abuses, here's the problem: nearly all of them fail to do the one thing that actually matters—reduce ICE's power.

### The 5 A's of Evaluating ICE Reform Proposals

When assessing any proposal related to ICE, this framework applies five guiding questions:

1. Does it reduce (and not increase) the number of ICE **agents**?
2. Does it reduce (and not increase) ICE's **authority** and funding?
3. Does it create actual **accountability** for ICE without depending on the DOJ or US Attorney?
4. Does it advance a new law or policy that is not **already** in place?
5. Is it **actionable** and not merely symbolic?

Each **full policy package** must answer **YES** to A and B. If a package fails to address either A or B, it should not be supported.

If the answer to C, D, or E is **NO** on any **individual demand**, then it is not an effective policy recommendation.

## Congressional Proposal 1: Targeted Enforcement

DHS officers cannot enter private property without a judicial warrant. End indiscriminate arrests and improve warrant procedures and standards. Require verification that a person is not a U.S. citizen before holding them in immigration detention.

**Evaluation:** ICE has issued internal guidance asserting that agents may forcibly enter residences using only internal ‘administrative warrant(s)’ ([Form I-205](#)) when someone has a final order of removal, but this policy is [widely viewed](#) by constitutional experts and advocates as inconsistent with long-standing Fourth Amendment principles and prior community guidance. Federal legislation closing this loophole could be effective, but only if clear enforcement mechanisms are established.

Even within the 100-mile border zone, ICE and CBP still cannot lawfully enter a private home without consent or a judicial warrant, except in narrow emergency circumstances; [8 U.S. Code § 1357](#) and [8 CFR § 287.1](#) expand where they may operate and patrol private land (not dwellings), but do not override these Fourth Amendment protections. These internal directives are being invoked to justify warrantless home entries, but they cannot override the Fourth Amendment’s requirement of consent or a judicial warrant for entering a private dwelling, a requirement that new federal legislation could clarify.

This proposal does not add clear remedies or enforcement tools to stop the ways ICE and CBP are already violating or testing these protections in practice; broad phrases like “end indiscriminate arrests” and “improve warrant procedures” are vague, lack concrete accountability mechanisms, and are unlikely by themselves to change the behavior of immigration enforcement agencies.

Under [8 U.S. Code § 1357](#), DHS officers can arrest someone suspected of being in the country “in violation of any law or regulation,” and so even as the requirement for verification of citizenship status before detention may establish new safeguards, the proposal remains vague. It does not address a specific mechanism for verification or a definition of “detention.” Without clarity and enforcement mechanisms, ICE could likely still detain people for long periods of time using “verification” based on flimsy suspicion or their recent expansion of dangerous [surveillance tools](#) like [facial recognition](#).

Evaluation Standards	Assessment
A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal does not reduce the number of ICE agents; it addresses procedures, not staffing levels.
B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal lacks enforcement assurance and leaves ICE’s core powers intact.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Unclear.</b> This proposal reiterates existing legal standards that the administration has effectively challenged and undermined. While the requirement for a judicial warrant to search private homes would work toward closing this loophole, the remainder of the proposal is vague. . Change will require other enforcement mechanisms to make it actionable.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. No clear policy procedures are outlined to ‘end indiscriminate arrests’ or ‘improve warrant standards’. Without a plan for implementation, these broad sweeping claims are simply symbolic.

## Congressional Proposal 2: No Masks

Prohibit Ice and immigration enforcement agents from wearing face coverings.

**Evaluation:** This policy has no enforcement mechanism. It is not actionable. A policy addressing masking must use some form of leverage to effectuate this policy that is not at the sole discretion of the executive branch to choose whether or not to enforce.

Evaluation Standards	Assessment
A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE's <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE's budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE's power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Yes.</b> This proposal would enact a new law that would prohibit ICE from wearing masks.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. Although admirable in nature, this policy lays out no formal consequence for officers who wear masks thus, it is symbolic in nature.

### Congressional Proposal 3: Require ID

Require DHS officers conducting immigration enforcement to display their agency, unique ID number and last name. Require them to verbalize their ID number and last name if asked.

**Evaluation:** Much like the second proposal regarding masks, there is no meaningful enforcement mechanism beyond existing internal policy. It is not actionable because it relies on the administration to enforce its own policies. Especially for an arrest, it is likely that an officer refusing to identify themselves would already [fail to satisfy](#) the Fourth Amendment’s reasonableness standard, and many legal experts argue that these practices exceed the narrow scope of Terry-style stops. All of this is to say that, while no statute currently requires officers to display clear, visible identifiers on their person, existing DHS and ICE regulations already require immigration officers to identify themselves during arrests and other official encounters. This policy does not strengthen a requirement for identification in a clear, actionable, and enforceable manner.

Evaluation Standards	Assessment
A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE’s power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>No.</b> This proposal largely restates existing requirements that immigration officers identify themselves and does not clearly create new, enforceable standards beyond current policy.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. No enforcement mechanism is outlined and existing regulations technically already require immigration officers to identify themselves during an arrest.

## Congressional Proposal 4: Protect Sensitive Locations

Prohibit funds from being used to conduct enforcement near sensitive locations, including medical facilities, schools, child-care facilities, churches, polling places, courts, etc.

**Evaluation:** The goal of this policy is admirable, and we agree that ICE and CBP should follow such a policy, but again there is no clear enforcement mechanism attached to this policy. Parameters are also loosely defined - what does it mean to be “near” a sensitive location? What qualifies as “enforcement”? Would agents still be permitted to conduct surveillance, invoke exigent circumstances, or sidestep this rule through other carve-outs? Would this be overridden by administrative or judicial warrants? This policy does not shrink the operational capacities of ICE and CBP, it only creates geographic limitations that are vague and likely unenforceable.

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B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE’s power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Yes.</b> This proposal would enact a policy that would hinder ICE’s ability to conduct enforcement in sensitive areas, even if weakly.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. Although it outlines some action for implementation, it lacks enforcement mechanisms and clear definitions of key terms such as ‘enforcement’ or ‘sensitive locations’.

## Congressional Proposal 5: Stop Racial Profiling

Prohibit DHS officers from conducting stops, questioning and searches based on an individual's presence at certain locations, their job, their spoken language and accent or their race and ethnicity.

**Evaluation:** This is a symbolic lever, which seeks to address a real harm perpetuated by ICE and CBP, one that the Supreme Court has recently [allowed](#) to continue under existing Fourth Amendment doctrine. Nevertheless, law enforcement officers at all levels can easily circumvent such limitations by claiming [any other number](#) of contextual reasons besides race for reasonable suspicion. In other words, they simply articulate their justification in other terms, and enforcing this requires an officer to have stated explicitly that they relied on a person's race (or, for this policy, presence at a location, job, spoken language, or accent) for a stop. Should DHS be allowed to make stops based on racial profiling? Of course not. But this policy will not actually prevent the practice.

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A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE's <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE's budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE's power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>No.</b> This proposal does not advance a new law or policy.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. Racial profiling can still be accomplished even with the relitigation of <i>Noem v. Vazquez Perdomo</i> and no consequences are outlined for officers who conduct stops based on an individual's race.

## Congressional Proposal 6: Uphold Use of Force Standards

Place into law a reasonable use of force policy, expand training and require certification of officers. In the case of an incident, the officer must be removed from the field until an investigation is conducted.

**Evaluation:** Internal [Use of force standards](#) already exist at both DOJ and DHS—including explicit limits on firing at moving vehicles—that should have prevented much of the excessive force recently perpetrated by ICE and CBP, including the killing of Renee Good.

Like other levers, even the most worthwhile use of force policies require the administration to enforce them. Given DHS's [failure](#) to enforce its current standards, there is little reason to expect a new set of standards alone to change behavior.

Training timelines alone also don't address the root problem. While the truncated training of [47 days](#) is deeply concerning, veteran officers were responsible for the killings of Renee Good and Alex Pretti—showing that training duration is not the core issue. Moreover, expanding training without specifying its content risks embedding harmful practices or expanding paramilitary capabilities rather than constraining them.

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B. Does it reduce (and not increase) ICE's <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE's budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE's power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Yes.</b> This proposal would update ICE's internal policies regarding use of force and training.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. As outlined above, ICE and Customs and Border Patrol (CBP) have use of force standards that should prevent excessive force. Expanded training and officer removal will not address accountability and thus this policy is largely symbolic.

## Congressional Proposal 7: Ensure State and Local Coordination and Oversight

Preserve the ability of State and local jurisdictions to investigate and prosecute potential crimes and use of excessive force incidents. Require that evidence is preserved and shared with jurisdictions. Require the consent of States and localities to conduct large-scale operations outside of targeted immigration enforcement.

**Evaluation:** The language of this policy itself, “preserve the ability” concedes that state and local governments already have authority under existing law to investigate and prosecute potential crimes by federal officers and to coordinate on use-of-force cases. This proposal mostly restates that baseline rather than creating new powers or remedies. In Minneapolis, the administration withdrew cooperation and blocked access to evidence. The U.S. attorney’s office and FBI removed the Minnesota Bureau of Criminal Apprehension from the ICE shooting case, barred it from case files and scene evidence, and insisted that Minnesota lacks jurisdiction.

The proposal also provides no concrete enforcement mechanism—no mandatory evidence-sharing rules with penalties, no private right of action, and no clear avenue for judicial review— to compel federal cooperation with excessive force investigations that are already underway or to make “consent” to large-scale operations legally meaningful. The administration has already demonstrated including in the Minneapolis case where an FBI agent resigned after being pressured to stop probing the ICE officer and federal officials focused instead on investigating the victim, that it is not willing to respect state oversight or treat state consent as a binding condition on large-scale enforcement operations.

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A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE’s power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>No.</b> This proposal mostly restates state authority that already exists and does not clearly create new, enforceable federal obligations or remedies.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. It largely reiterates the authority that states already have (to investigate, prosecute, and demand evidence) without adding concrete enforcement tools or consequences if federal agencies refuse to cooperate.

## Congressional Proposal 8: Build Safeguards into the System

Make clear that all buildings where people are detained must abide by the same basic detention standards that require immediate access to a person’s attorney to prevent citizen arrests or detention. Allow states to sue DHS for violations of all requirements. Prohibit limitations on Member visits to ICE facilities regardless of how those facilities are funded.

**Evaluation:** DHS detention facilities are [already subject](#) to constitutional protections and binding standards, including access-to-counsel requirements; states already have paths to sue over violations; and Members of Congress already [possess](#) broad oversight authority to visit facilities. This proposal mainly reiterates those existing rights without adding strong enforcement tools, so it is unlikely on its own to change federal compliance.

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B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE’s power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>No.</b> This proposal does not advance a new law or policy.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. It mostly restates protections that already exist—detention standards, state authority to sue, and broad congressional oversight/visit rights—without adding specific, enforceable mechanisms (like mandatory sanctions, new causes of action with clear remedies, or funding penalties) that would actually change DHS’s incentives or behavior.

## Congressional Proposal 9: Body Cameras for Accountability, Not Tracking

Require use of body-worn cameras when interacting with the public and mandate requirements for the storage and access of footage. Prohibit tracking, creating, or maintaining databases of individuals participating in First Amendment activities.

**Evaluation:** Body cameras are a popular but relatively weak mechanism for accountability, especially because there is no guarantee of public access to footage, and even a legislative access requirement would likely face noncompliance from the administration. While the prohibition on tracking or maintaining databases of First Amendment activity is a good idea, it misunderstands the ways that ICE and CBP already collect and exploit data through other surveillance and enforcement systems, which have [expanded rapidly](#) in recent years.

In 2023, [DHS adopted](#) its first department-wide body-worn camera policy requiring cameras for law-enforcement interactions with the public, setting standards for storage and handling of footage, and expressly prohibiting use of cameras “for the sole purpose of recording individuals who are engaged in activity protected by the First Amendment,” including peaceful protests. ICE followed with [Directive 19010.3](#) in 2025, implementing these requirements for ICE agents by mandating activation at the start of enforcement actions, establishing retention and review rules, and reiterating limits on recording First Amendment activity solely for surveillance.

After the Minneapolis shootings, Secretary Noem [pledged](#) to issue body-worn cameras to every DHS officer in Minneapolis and to expand the program nationwide as funding allows, meaning the administration itself already claims to be rolling out cameras across DHS.

Because these existing measures already require body-worn cameras, regulate storage and access, and purport to restrict First Amendment–related tracking, this congressional proposal largely mirrors current policy instead of creating a clearly new, enforceable statutory regime.

Evaluation Standards	Assessment
A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used. It is likely that any passed funding proposal would include additional allocations for implementing body cameras.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No:</b> Although this appears on its face to be a measure for accountability because it would provide video evidence for public review, there is no clarity regarding access to footage or an effective mechanism for forcing the administration to share footage.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Unclear.</b> This proposal does not clearly advance a new law or policy; at best, it modestly clarifies and restates things DHS is already doing or has committed to doing.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No:</b> There is no clarity in this proposal around who can access or review footage, nor the enforcement mechanisms for compliance. It relies on the proactive cooperation from DHS.

## Congressional Proposal 10: No Paramilitary Police

Regulate and standardize the type of uniforms and equipment DHS officers carry during enforcement operations to bring them in line with civil enforcement.

**Evaluation:** The standard that DHS would have to use deployment “in line with civil law enforcement” ignores the extent to which civilian police are already heavily militarized. This policy includes no clear standards, and has no enforcement mechanisms. It also misunderstands the extent to which many of the most harmful tools and equipment that ICE and CBP deploy (their surveillance tools, databases, and software) have nothing to do with their uniforms. It is worth noting that CBP are currently [required](#) to wear uniforms, and this substantively does not change their behaviors. This is a symbolic policy that would not limit their use of harmful tools and technologies.

Evaluation Standards	Assessment
A. Does it reduce (and not increase) the number of ICE agents?	<b>No.</b> This proposal will have no effect on the number of ICE agents.
B. Does it reduce (and not increase) ICE’s <b>authority</b> and funding?	<b>No.</b> This proposal does not cut ICE’s budget or restrict how funds may be used.
C. Does it create actual <b>accountability</b> for ICE without depending on the DOJ or US Attorney?	<b>No.</b> This proposal has no <i>enforceable</i> accountability standards. ICE’s power and scope would remain untouched.
D. Does it <b>advance</b> a new law or policy that is not already in place?	<b>Unclear.</b> This proposal might technically update ICE and CBP uniform and equipment policies, but its key standard—bringing deployments “in line with civil law enforcement”—is vague, civilian police are already heavily militarized, and CBP officers are already required to wear uniforms, so the measure does not clearly establish a distinct, enforceable new regime.
E. Is it <b>actionable</b> and not merely symbolic?	<b>No.</b> This proposal is not actionable. It only gestures at “regulating and standardizing” uniforms and equipment without specifying concrete limits or penalties, and it ignores ICE/CBP’s core power—surveillance systems and data tools.