

AMENDMENT

OFFERED BY MRS. MCIVER OF NEW JERSEY

Insert, at the appropriate place, the following:

1 **SEC. ____ . CONGRESSIONAL OVERSIGHT.**

2 (a) PROHIBITION.—None of the funds made available
3 by this Act or under sections 100051 and 10005 of the
4 Act entitled, “An Act to provide for reconciliation pursu-
5 ant to title II of H. Con. Res. 14” (Public Law 119-21)
6 may be used by the Secretary of Homeland Security to
7 carry out the memorandum entitled, “Congressional Ac-
8 cess to Alien Detention Facilities – Access Policy and Use
9 of Appropriations for Enforcement” and dated January
10 8, 2026.

11 (b) LIMITATION.—This prohibition under subsection
12 (a) may not be construed to restrict, limit, or otherwise
13 condition visit of a Members of Congress or their staff
14 to any facility operated by or for the Department of
15 Homeland Security.

16 (c) OVERSIGHT.—(1) None of the funds made avail-
17 able by this Act or under sections 100051 and 10005 of
18 the Act entitled, “An Act to provide for reconciliation pur-
19 suant to title II of H. Con. Res. 14” (Public Law 119-
20 21) may be used by the Secretary of Homeland Security

1 to prevent any of the following persons from entering, for
2 the purpose of conducting oversight, any facility operated
3 by or for the Department of Homeland Security used to
4 detain or otherwise house aliens, or to make any tem-
5 porary modification at any such facility that in any way
6 alters what is observed by a visiting Member of Congress
7 or such designated employee, compared to what would be
8 observed in the absence of such modification:

9 (A) A Member of Congress.

10 (B) An employee of the United States
11 House of Representatives or the United States
12 Senate designated by such a Member to per-
13 form such oversight function.

14 (2) Except as provided under paragraph (3),
15 the prohibition under paragraph (1) may not be con-
16 strued to require a Member of Congress to provide
17 prior notice of the intent to enter a facility described
18 in paragraph (1) for the purpose of conducting over-
19 sight.

20 (3) With respect to individuals described under
21 paragraph (1)(B), the Secretary of Homeland Secu-
22 rity may require that a request to enter any facility
23 operated by or for the Department of Homeland Se-
24 curity be made 24 hours in advance to such entry.

