



Kino Border Initiative
Iniciativa Kino
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FY 2026 DHS Appropriations: Building Oversight at DHS

Recommendations for the House and Senate Negotiations Regarding 2026 Homeland Security Appropriations – Feb. 2026

Overview

The Kino Border Initiative (KBI) is a binational Catholic organization that provides humanitarian aid to migrants in Nogales, Sonora, Mexico and advocates for just and humane immigration policies on both sides of the U.S.-Mexico border. KBI has documented hundreds of complaints of abuse and due process violations by CBP and ICE since 2015. Those cases reveal a pattern: serious allegations rarely result in timely, independent investigations, discipline, or meaningful communication with victims. The FY 2026 DHS Appropriations bill and report can directly address these gaps by building core oversight capacity and setting clear, measurable expectations for how complaints are received, investigated, and resolved.

Key FY 2026 Appropriations Requests

- Increase operations and staffing funding for CRCL, OIG, OPR, and OIDO, including sustaining at least 550 OPR investigative agents and expanding beyond the roughly 600 investigators at OIG and 100 staff at CRCL who have been responsible for oversight of about 260,000 DHS employees. New funds should primarily be used to hire, train, and retain investigators, analysts, and victim-facing staff, with particular emphasis on use-of-force and other serious misconduct complaints.
- Direct DHS, within 120 days of enactment, to submit a staffing and workload plan for these oversight components (required FTEs, caseload benchmarks, and a multi-year hiring strategy), with quarterly briefings to the Subcommittees.
- Encourage recruitment from outside CBP/ICE, with a focus on independence to avoid replicating the same organizational culture that has resisted accountability.
- Require DHS - with the newly recruited staff - to deploy a unified civil-rights and misconduct complaint intake and tracking system across CRCL, OIG, OPR, and OIDO, including a single public-facing form, multilingual access, phone and online submission options, and a secure way for complainants or representatives to receive basic case-status updates.
- Expand in-custody access to complaint mechanisms through posted information, phone access, and exit-interviews at release or removal that include standardized questions on treatment, family separation, and return of all property.
- Direct DHS to revise Management Directive 810.1 and related policies to clarify jurisdiction among oversight offices, set firm time limits for OIG to accept or decline cases, and prevent referrals that freeze or indefinitely delay other components' investigations.
- Require DHS to report annually to the Committees on complaint flows and outcomes across CRCL, OIG, OPR, and OIDO.



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- Specify that increased oversight funds support improved field-investigation practices, including: i) timely efforts to interview complainants (even after removal); ii) responsible deployment and use of body-worn, vehicle, and facility cameras; iii) longer retention periods for relevant medical records and camera footage, and clear protocols so investigators can promptly obtain that evidence in use-of-force and other serious misconduct cases; and iv) regular in-service trainings so new directives issued in response to oversight findings are put into practice and reviewed 6 months and 1 year after issuance to ensure continued implementation.
- Request GAO, or DHS OIG with GAO consultation, to assess and report to Congress whether the Department's implementation of the above appropriations directives is reducing the number of stalled, uninvestigated, or discipline-free abuse cases over time.

Why This Matters Now

- KBI's 2017–2023 documentation shows that the vast majority of complaints it filed resulted in no discernible accountability outcome, with many cases simply recorded in an "information layer," referred between offices, or closed without any explanation to victims.
- Long delays (often a year or more) or, more commonly, no response at all, mean victims are deported, evidence degrades, and investigators struggle to locate witnesses, making serious cases effectively impossible to pursue.
- Strengthening and clarifying DHS's oversight system through appropriations language is achievable this year and will benefit agents by ensuring credible investigations and a more functional accountability culture.

KBI expertise and resources

- KBI operates a shelter and accompaniment program in Nogales, Sonora, and has filed more than 200 complaints with DHS oversight offices, giving it insight into how the complaint system works in practice.
- We are available to provide briefings, additional draft report language, and de-identified case examples for Committee staff.
- Contact: Juan Cuéllar, Director of Education and Advocacy jcuellar@kinoborderinitiative.org | 520.934.1749

References for staff

- [Abuses at the U.S.–Mexico Border: How to Address Failures and Protect Rights](#) (WOLA & KBI, 2023).
- [Intake Without Oversight: Firsthand Experiences with the CBP Complaints Process](#) (Jesuit Conference & KBI, 2017).
- [Due Process Denied: CBP Abuses at the Border, October 2020–July 2021](#) (NETWORK & KBI).
- [KBI–FIRRP Letter to Secretary Mayorkas Summarizing 73 Complaints](#), 2017–2021