

Exhibit 1

Secretary
U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security


February 2, 2026

MEMORANDUM FOR: Todd M. Lyons
Acting Director for U.S. Immigration and Customs Enforcement

Rodney Scott
Commissioner, U.S. Customs and Border Protection

James H. Percival II
General Counsel

Holly C. Mehringer
Senior Official Performing the Duties of the Chief Financial Officer

FROM: Kristi Noem 
Secretary of Homeland Security

SUBJECT: Congressional Access to Alien Detention Facilities – Ratification
of Access Policy and Use of Appropriations for Enforcement

On January 8, 2026, I issued a new policy directing that requests by Members of Congress to visit an ICE facility be submitted at least seven days in advance of the visit.¹ On February 2, 2026, in *Neguse v. ICE*, a judge in the U.S. District Court for the District of Columbia temporarily enjoined DHS from enforcing that policy or otherwise requiring any plaintiff to provide advance notice before conducting oversight visits for a period of 14 days.²

The court concluded that DHS's policy remains inconsistent with Section 527(b) of the Department's appropriation. It is odd that the court issued this decision given the appropriation containing Section 527(b) lapsed on January 31, 2026. As a result of the lapse, Section 527 is not currently in effect. Therefore, as of this date, I am issuing this new policy that is identical in substance to the January 8 access policy. The General Counsel will provide further guidance regarding the effective date of this policy in light of the court's order.

¹ This updated policy—issued as a result of the case against ICE—was directed to ICE. Neither CBP nor its policy has been involved in the case to date. In light of today's decision, however, I am also issuing that policy as to CBP.

² *Neguse v. ICE*, No. 25-2463, Memorandum Op. at 9 (D.D.C. Feb. 2, 2026).