

112TH CONGRESS
2D SESSION

H. R. 915

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2012

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jaime Zapata Border
5 Enforcement Security Task Force Act”.

6 **SEC. 2. FINDINGS AND DECLARATION OF PURPOSES.**

7 Congress finds the following:

8 (1) The Department of Homeland Security’s
9 (DHS) overriding mission is to lead a unified na-
10 tional effort to protect the United States. United
11 States Immigration and Customs Enforcement
12 (ICE) is the largest investigative agency within DHS
13 and is charged with enforcing a wide array of laws,
14 including laws related to securing the border and
15 combating criminal smuggling.

16 (2) Mexico’s northern border with the United
17 States has experienced a dramatic surge in border
18 crime and violence in recent years due to intense
19 competition between Mexican drug cartels and crimi-
20 nal smuggling organizations that employ predatory
21 tactics to realize their profits.

22 (3) Law enforcement agencies at the United
23 States northern border face similar challenges from
24 transnational smuggling organizations.

1 (4) In response, DHS has partnered with Fed-
2 eral, State, local, tribal, and foreign law enforcement
3 counterparts to create the Border Enforcement Se-
4 curity Task Force (BEST) initiative as a com-
5 prehensive approach to addressing border security
6 threats. These multi-agency teams are designed to
7 increase information-sharing and collaboration
8 among the participating law enforcement agencies.

9 (5) BEST teams incorporate personnel from
10 ICE, United States Customs and Border Protection
11 (CBP), the Drug Enforcement Administration
12 (DEA), the Bureau of Alcohol, Tobacco, Firearms
13 and Explosives (ATFE), the Federal Bureau of In-
14 vestigation (FBI), the United States Coast Guard
15 (USCG), and the U.S. Attorney's Office (USAO),
16 along with other key Federal, State and local law
17 enforcement agencies.

18 (6) Foreign law enforcement agencies include
19 Mexico's Secretaria de Seguridad Publica (SSP), the
20 Canada Border Services Agency (CBSA), the On-
21 tario Provincial Police (OPP), and the Royal Cana-
22 dian Mounted Police (RCMP).

23 **SEC. 3. BORDER ENFORCEMENT SECURITY TASK FORCE.**

24 (a) ESTABLISHMENT.—There is established in
25 United States Immigration and Customs Enforcement

1 (ICE) a program known as a Border Enforcement Secu-
2 rity Task Force (referred to as “BEST”).

3 (b) PURPOSE.—The purpose of the BEST program
4 is to establish units to enhance border security by address-
5 ing and reducing border security threats and violence by—

6 (1) facilitating collaboration among Federal,
7 State, local, tribal, and foreign law enforcement
8 agencies to execute coordinated activities in further-
9 ance of border security, and homeland security; and

10 (2) enhancing information-sharing, including
11 the dissemination of homeland security information
12 among such agencies.

13 (c) COMPOSITION AND DESIGNATION.—

14 (1) COMPOSITION.—BEST units may be com-
15 prised of personnel from—

16 (A) United States Immigration and Cus-
17 toms Enforcement;

18 (B) United States Customs and Border
19 Protection;

20 (C) the United States Coast Guard;

21 (D) other Federal agencies, as appropriate;

22 (E) appropriate State law enforcement
23 agencies;

24 (F) foreign law enforcement agencies, as
25 appropriate;

1 (G) local law enforcement agencies from
2 affected border cities and communities; and

3 (H) appropriate tribal law enforcement
4 agencies.

5 (2) DESIGNATION.—The Secretary of Home-
6 land Security, acting through the Assistant Sec-
7 retary for ICE, is authorized to establish BEST
8 units in jurisdictions where such units can con-
9 tribute to the BEST program’s missions, as appro-
10 priate. Prior to establishing a BEST unit, the As-
11 sistant Secretary shall consider the following factors:

12 (A) Whether the area where the BEST
13 unit would be established is significantly im-
14 pacted by cross-border threats.

15 (B) The availability of Federal, State,
16 local, tribal, and foreign law enforcement re-
17 sources to participate in the BEST unit.

18 (C) The extent to which border security
19 threats are having a significant harmful impact
20 in the jurisdiction in which the BEST unit is
21 to be established, and other jurisdictions of the
22 country.

23 (D) Whether or not an Integrated Border
24 Enforcement Team already exists in the area
25 where the BEST unit would be established.

1 (d) OPERATION.—After making a designation under
2 subsection (c)(2), and in order to provide Federal assist-
3 ance to the area so designated, the Secretary of Homeland
4 Security may—

5 (1) obligate such sums as are appropriated for
6 the BEST program;

7 (2) direct the assignment of Federal personnel
8 to the BEST program, subject to the approval of the
9 head of the department or agency that employs such
10 personnel; and

11 (3) take other actions to assist State, local,
12 tribal, and foreign jurisdictions to participate in the
13 BEST program.

14 (e) REPORT.—Not later than 180 days after the date
15 of the establishment of the BEST program under sub-
16 section (a) and annually thereafter, the Secretary of
17 Homeland Security shall submit to Congress a report on
18 the effectiveness of the BEST program in enhancing bor-
19 der security and reducing the drug trafficking, arms
20 smuggling, illegal alien trafficking and smuggling, vio-
21 lence, and kidnapping along and across the international
22 borders of the United States as measured by crime statis-
23 tics, including violent deaths, incidents of violence, and
24 drug-related arrests.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Secretary of Home-
3 land Security \$10,000,000 for each of fiscal years 2012
4 through 2016 to—

5 (1) establish and operate the BEST program,
6 including to provide for operational, administrative,
7 and technological costs to Federal, State, local, trib-
8 al and foreign law enforcement agencies partici-
9 pating in the BEST program; and

10 (2) investigate, apprehend, and prosecute indi-
11 viduals engaged in drug trafficking, arms smuggling,
12 illegal alien trafficking and smuggling, violence, and
13 kidnapping along and across the international bor-
14 ders of the United States.

Passed the House of Representatives May 30, 2012.

Attest:

KAREN L. HAAS,

Clerk.