

Union Calendar No. 179

112TH CONGRESS
1ST SESSION

H. R. 915

[Report No. 112-268]

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2011

Mr. CUELLAR (for himself and Mr. McCAUL) introduced the following bill;
which was referred to the Committee on Homeland Security

NOVEMBER 4, 2011

Additional sponsors: Mr. FARENTHOLD and Mr. CLARKE of Michigan

NOVEMBER 4, 2011

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on March 3, 2011]

A BILL

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 (ICE)*
12 *is the largest investigative agency within DHS and is*
13 *charged with enforcing a wide array of laws, includ-*
14 *ing laws related to securing the border and combating*
15 *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 Secu-*
4 *rity Task Force (BEST) initiative as a comprehen-*
5 *sive approach to addressing border security threats.*
6 *These multi-agency teams are designed to increase in-*
7 *formation-sharing and collaboration among the par-*
8 *ticipating law enforcement agencies.*

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

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

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

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

1 *program known as a Border Enforcement Security Task*
2 *Force (referred to as “BEST”).*

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

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

10 (2) *enhancing information-sharing, including the*
11 *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 Pro-*
19 *tection;*

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 ap-*
25 *propriate;*

1 (G) local law enforcement agencies from af-
2 fected border cities and communities; and

3 (H) appropriate tribal law enforcement
4 agencies.

5 (2) *DESIGNATION.*—The Secretary of Homeland
6 Security, acting through the Assistant Secretary for
7 ICE, is authorized to establish BEST units in juris-
8 dictions where such units can contribute to the BEST
9 program’s missions, as appropriate. Prior to estab-
10 lishing a BEST unit, the Assistant Secretary shall
11 consider the following factors:

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

15 (B) The availability of Federal, State, local,
16 tribal, and foreign law enforcement resources to
17 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 to
21 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 assistance
3 to the area so designated, the Secretary of Homeland Secu-
4 rity may—

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

7 (2) *direct the assignment of Federal personnel to*
8 *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, trib-*
12 *al, 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 subsection
16 (a) and annually thereafter, the Secretary of Homeland Se-
17 curity shall submit to Congress a report on the effectiveness
18 of the BEST program in enhancing border security and re-
19 ducing the drug trafficking, arms smuggling, illegal alien
20 trafficking and smuggling, violence, and kidnapping along
21 and across the international borders of the United States
22 as measured by crime statistics, including violent deaths,
23 incidents of violence, and drug-related arrests.

24 (f) *AUTHORIZATION OF APPROPRIATIONS.*—There is
25 authorized to be appropriated to the Secretary of Homeland

1 *Security \$10,000,000 for each of fiscal years 2012 through*
2 *2016 to—*

3 *(1) establish and operate the BEST program, in-*
4 *cluding to provide for operational, administrative,*
5 *and technological costs to Federal, State, local, tribal*
6 *and foreign law enforcement agencies participating in*
7 *the BEST program; and*

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

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