

111TH CONGRESS  
1ST SESSION

# S. 1190

To provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 4, 2009

Mr. BINGAMAN (for himself and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To provide financial aid to local law enforcement officials along the Nation's borders, 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 “Border Law Enforce-  
5       ment Anti-Drug Trafficking Act of 2009”.

6       **SEC. 2. BORDER RELIEF GRANT PROGRAM.**

7       (a) GRANTS AUTHORIZED.—

8               (1) IN GENERAL.—The Attorney General is au-  
9       thorized to award grants to—

1 (A) eligible law enforcement agencies, or a  
2 coalition of such agencies, to provide the re-  
3 sources described in subsection (b) to address  
4 drug-related criminal activity that occurs in the  
5 jurisdiction of such agencies; and

6 (B) institutions of higher education that  
7 provide assistance to law enforcement agencies  
8 in counties described in subparagraph (A) or  
9 (B) of subsection (d)(1) to provide the re-  
10 sources described in subsection (b)(4).

11 (2) COMPETITIVE BASIS.—The Attorney Gen-  
12 eral shall award grants under this section on a com-  
13 petitive basis.

14 (3) PRIORITY.—In awarding grants for the uses  
15 described in paragraphs (1) through (3) of sub-  
16 section (b), the Attorney General shall give priority  
17 to law enforcement agencies located in a county that  
18 is within 150 miles from the United States border  
19 with Mexico.

20 (b) USE OF FUNDS.—Grants awarded under this sec-  
21 tion may only be used to provide additional resources for  
22 eligible law enforcement agencies to address drug-related  
23 criminal activity, and for the training and assistance de-  
24 scribed in paragraph (4) for organizations described in  
25 subsection (a)(2), including resources to—

1           (1) combat criminal activities along the South-  
2       ern border by—

3           (A) obtaining, upgrading, or maintain  
4       equipment;

5           (B) hiring additional personnel;

6           (C) reimbursing operational expenditures,  
7       including overtime and transportation costs;  
8       and

9           (D) providing other assistance necessary to  
10      address drug-related criminal activity;

11       (2) facilitate information sharing and collabora-  
12      tion by—

13           (A) establishing, maintaining, or enhancing  
14      multi-jurisdictional intelligence gathering and  
15      sharing activities;

16           (B) facilitating regional crime prevention  
17      and reduction efforts; and

18           (C) strengthening partnerships between  
19      Federal, tribal, State, and local law enforce-  
20      ment agencies;

21       (3) enhance jails, community corrections, and  
22      detention operations by—

23           (A) improving the administration and oper-  
24      ations of correction functions related to reduc-  
25      ing and preventing criminal narcotics activity;

1 (B) improving access to intelligence and  
2 collaboration between law enforcement and cor-  
3 rectional system personnel;

4 (C) reducing the recidivism rates of drug  
5 offenders; and

6 (D) hiring detention, probation, parole,  
7 and other corrections personnel for implementa-  
8 tion of the efforts described in this paragraph;  
9 and

10 (4) provide training and technical assistance,  
11 including training and assistance related to—

12 (A) narcotics-related kidnapping negotia-  
13 tion and rescue tactics;

14 (B) intelligence and information sharing on  
15 drug trafficking organizations; and

16 (C) the interdiction of narcotics, weapons,  
17 and illegal drug proceeds.

18 (c) APPLICATION.—

19 (1) IN GENERAL.—Each eligible law enforce-  
20 ment agency, or coalition of such agencies, seeking  
21 a grant under this section shall submit an applica-  
22 tion to the Attorney General at such time, in such  
23 manner, and accompanied by such information as  
24 the Attorney General may reasonably require.

1           (2) CONTENTS.—Each application submitted  
2 under paragraph (1) shall—

3           (A) describe the activities for which assist-  
4 ance under this section is sought; and

5           (B) provide such additional assurances as  
6 the Attorney General determines to be essential  
7 to ensure compliance with the requirements  
8 under this section.

9 (d) DEFINITIONS.—In this section:

10          (1) ELIGIBLE LAW ENFORCEMENT AGENCY.—  
11 The term “eligible law enforcement agency” means  
12 a tribal, State, or local law enforcement agency, in-  
13 cluding a community corrections agency and any  
14 agency that employs prosecutors, probation officers,  
15 or parole officers, which is located or performs du-  
16 ties in—

17           (A) Arizona, California, New Mexico, or  
18 Texas; or

19           (B) a jurisdiction that has been designated  
20 by the Director of the Office of Drug Control  
21 Policy as a High Intensity Drug Trafficking  
22 Area.

23          (2) HIGH INTENSITY DRUG TRAFFICKING  
24 AREA.—The term “High Intensity Drug Trafficking  
25 Area” means any jurisdiction designated as a “High

1 Intensity Drug Trafficking Area” by the National  
2 Drug Control Program under section 707 of the Of-  
3 fice of National Drug Control Policy Reauthorization  
4 Act of 1998 (21 U.S.C. 1706).

5 (e) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be  
7 appropriated \$100,000,000 for each of the fiscal  
8 years 2010 through 2015 to carry out the provisions  
9 of this section.

10 (2) ALLOCATION OF AUTHORIZED FUNDS.—Of  
11 the amounts appropriated pursuant to paragraph  
12 (1)—

13 (A) not more than 33 percent may be set  
14 aside for High Intensity Drug Trafficking  
15 Areas; and

16 (B) not more than 30 percent may be used  
17 for activities described in paragraphs (3) and  
18 (4) of subsection (b).

19 (3) SUPPLEMENT NOT SUPPLANT.—Amounts  
20 appropriated for grants pursuant to paragraph (1)  
21 shall be used to supplement and not to supplant  
22 other tribal, State, and local public funds obligated  
23 for the purposes provided under this section.

1 **SEC. 3. ENFORCEMENT OF FEDERAL IMMIGRATION LAW.**

2       Nothing in this Act may be construed to authorize  
3 tribal, State, or local law enforcement agencies or officers  
4 of such agencies to exercise Federal immigration law en-  
5 forcement authority.

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