

112TH CONGRESS
1ST SESSION

H. R. 770

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

FEBRUARY 17, 2011

Mr. CUELLAR introduced the following bill; which was referred to the Committee on Homeland Security

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Border Enforcement
3 Security Task Force Act of 2011”.

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

5 (a) FINDINGS.—Congress finds the following:

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

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

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

23 (4) In response, DHS has partnered with Fed-
24 eral, State, local, tribal, and foreign law enforcement
25 counterparts to create the Border Enforcement Se-
26 curity Task Force (BEST) initiative as a com-

1 prehensive approach to addressing border security
2 threats. These multi-agency teams are designed to
3 increase information-sharing and collaboration
4 among the participating law enforcement agencies.

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

14 (6) Foreign law enforcement agencies include
15 Mexico’s Secretaria de Seguridad Publica (SSP), the
16 Canada Border Services Agency (CBSA), the On-
17 tario Provincial Police (OPP), and the Royal Cana-
18 dian Mounted Police (RCMP).

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

20 (a) ESTABLISHMENT.—There is established in
21 United States Immigration and Customs Enforcement
22 (ICE) a program known as a Border Enforcement Secu-
23 rity Task Force (referred to as “BEST”).

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

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

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

11 (c) COMPOSITION AND DESIGNATION.—

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

14 (A) United States Immigration and Cus-
15 toms Enforcement;

16 (B) United States Customs and Border
17 Protection;

18 (C) the United States Coast Guard;

19 (D) other Federal agencies, as appropriate;

20 (E) appropriate State law enforcement
21 agencies;

22 (F) foreign law enforcement agencies, as
23 appropriate;

24 (G) local law enforcement agencies from
25 affected border cities and communities; and

1 (H) appropriate tribal law enforcement
2 agencies.

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

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

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

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

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

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

3 (2) direct the assignment of Federal personnel
4 to the BEST program, subject to the approval of the
5 head of the department or agency that employs such
6 personnel; and

7 (3) take other actions to assist State, local,
8 tribal, and foreign jurisdictions to participate in the
9 BEST program.

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

21 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Secretary of Home-
23 land Security such funds as may be necessary for each
24 of fiscal years 2012 through 2016 to—

- 1 (1) establish and operate the BEST program,
2 including to provide for operational, administrative,
3 and technological costs to Federal, State, local, trib-
4 al and foreign law enforcement agencies partici-
5 pating in the BEST program; and
- 6 (2) investigate, apprehend, and prosecute indi-
7 viduals engaged in drug trafficking, arms smuggling,
8 illegal alien trafficking and smuggling, violence, and
9 kidnapping along and across the international bor-
10 ders of the United States.

○