

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 2893

To amend the Controlled Substances Import and Export Act to prevent the use of Indian reservations located on the United States borders to facilitate cross-border drug trafficking, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2009

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Controlled Substances Import and Export Act to prevent the use of Indian reservations located on the United States borders to facilitate cross-border drug trafficking, 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 “Cross Border Reserva-  
5       tion Drug Trafficking Sentence Enhancement Act of  
6       2009”.

1 **SEC. 2. SENTENCING ENHANCEMENT FOR THE USE OF A**  
2 **BORDER INDIAN RESERVATIONS TO FACILI-**  
3 **TATE CROSS-BORDER DRUG TRAFFICKING.**

4 Section 1010(b) of the Controlled Substances Import  
5 and Export Act (21 U.S.C. 960(b)) is amended by adding  
6 at the end the following:

7 “(8)(A) Whoever during and in relation to a  
8 violation of subsection (a) enters, leaves, or is within  
9 a border Indian reservation, or attempts or conspires  
10 to do so, shall be fined under title 18, United States  
11 Code, or imprisoned not more than 10 years, or  
12 both. Any term of imprisonment imposed under this  
13 paragraph shall be served consecutively to any term  
14 imposed for the violation of subsection (a).

15 “(B) In this paragraph, the term ‘border Indian  
16 reservation’ means a Federal or State Indian res-  
17 ervation that borders or traverses any portion of a  
18 United States international border.”.

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