

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 915
OFFERED BY MR. CUELLAR OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

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-

1 nal smuggling organizations that employ predatory
2 tactics to realize their profits.

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

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

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

23 (6) Foreign law enforcement agencies include
24 Mexico's Secretaria de Seguridad Publica (SSP), the
25 Canada Border Services Agency (CBSA), the On-

1 tario Provincial Police (OPP), and the Royal Cana-
2 dian Mounted Police (RCMP).

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

4 (a) ESTABLISHMENT.—There is established in
5 United States Immigration and Customs Enforcement
6 (ICE) a program known as a Border Enforcement Secu-
7 rity Task Force (referred to as “BEST”).

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

11 (1) facilitating collaboration among Federal,
12 State, local, tribal, and foreign law enforcement
13 agencies to execute coordinated activities in further-
14 ance of border security, and homeland security; and

15 (2) enhancing information-sharing, including
16 the dissemination of homeland security information
17 among such agencies.

18 (c) COMPOSITION AND DESIGNATION.—

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

21 (A) United States Immigration and Cus-
22 toms Enforcement;

23 (B) United States Customs and Border
24 Protection;

25 (C) the United States Coast Guard;

1 (D) other Federal agencies, as appropriate;

2 (E) appropriate State law enforcement
3 agencies;

4 (F) foreign law enforcement agencies, as
5 appropriate;

6 (G) local law enforcement agencies from
7 affected border cities and communities; and

8 (H) appropriate tribal law enforcement
9 agencies.

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

17 (A) Whether the area where the BEST
18 unit would be established is significantly im-
19 pacted by cross-border threats.

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

23 (C) The extent to which border security
24 threats are having a significant harmful impact
25 in the jurisdiction in which the BEST unit is

1 to be established, and other jurisdictions of the
2 country.

3 (D) Whether or not an Integrated Border
4 Enforcement Team already exists in the area
5 where the BEST unit would be established.

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

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

12 (2) direct the assignment of Federal personnel
13 to the BEST program, subject to the approval of the
14 head of the department or agency that employs such
15 personnel; and

16 (3) take other actions to assist State, local,
17 tribal, and foreign jurisdictions to participate in the
18 BEST program.

19 (e) REPORT.—Not later than 180 days after the date
20 of the establishment of the BEST program under sub-
21 section (a) and annually thereafter, the Secretary of
22 Homeland Security shall submit to Congress a report on
23 the effectiveness of the BEST program in enhancing bor-
24 der security and reducing the drug trafficking, arms
25 smuggling, illegal alien trafficking and smuggling, vio-

1 lence, and kidnapping along and across the international
2 borders of the United States as measured by crime statis-
3 tics, including violent deaths, incidents of violence, and
4 drug-related arrests.

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

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

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

