

116TH CONGRESS
2D SESSION

H. R. 5849

To require the Secretary of Homeland Security to establish a Border Enforcement Security Task Force unit to investigate transnational criminal organization arms smuggling across the international border between the United States and Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2020

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

A BILL

To require the Secretary of Homeland Security to establish a Border Enforcement Security Task Force unit to investigate transnational criminal organization arms smuggling across the international border between the United States and Mexico, 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 “Illicit Arms Trafficking
5 Security Enforcement Act”.

1 **SEC. 2. BORDER ENFORCEMENT SECURITY TASK FORCE**
2 **UNIT FOR ARMS SMUGGLING.**

3 (a) ESTABLISHMENT.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary of
5 Homeland Security shall, pursuant to section 432 of the
6 Homeland Security Act of 2002 (6 U.S.C. 240), establish,
7 in consultation with the National Targeting Center of U.S.
8 Customs and Border Protection and the Bureau of Alco-
9 hol, Tobacco, Firearms and Explosives of the Department
10 of Justice, a Border Enforcement Security Task Force
11 unit to investigate transnational criminal organization
12 arms smuggling across the international border between
13 the United States and Mexico.

14 (b) PURPOSES.—The Border Enforcement Security
15 Task Force unit established in accordance with subsection
16 (a) shall focus on the following:

17 (1) Reducing arms smuggling of weapons,
18 weapon parts, munitions, explosives, and related
19 items from the United States to Mexico.

20 (2) Apprehending, or working with relevant law
21 enforcement to apprehend, arms smugglers within
22 the United States or crossing from the United
23 States to Mexico.

24 (3) Ensuring coordination with the Bureau of
25 Alcohol, Tobacco, Firearms, and Explosives to re-
26 ceive comprehensive data on seized firearms in Mex-

1 ico through an electronic tracing system or a suc-
2 cessor system.

3 (4) Deconflicting arms trafficking investigations
4 between the Department of Homeland Security and
5 the Department of Justice.

6 (c) COMPOSITION.—The Border Enforcement Secu-
7 rity Task Force unit established in accordance with sub-
8 section (a) shall be composed of the following:

9 (1) U.S. Customs and Border Protection.

10 (2) U.S. Immigration and Customs Enforce-
11 ment, led by Homeland Security Investigations.

12 (3) Other Department of Homeland Security
13 personnel, as appropriate.

14 (4) The Bureau of Alcohol, Tobacco, Firearms,
15 and Explosives, with the approval of the Attorney
16 General.

17 (5) Other Federal, State, local, Tribal, and for-
18 eign law enforcement agencies, including Mexican
19 law enforcement agencies, as appropriate.

20 (d) RESOURCES.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of Home-
22 land Security, in coordination with the Attorney General,
23 shall submit to Congress a report that identifies tech-
24 nology, dedicated personnel, and other resources required

1 for the following purposes relating to the establishment
2 of the BEST unit in accordance with subsection (a):

3 (1) Continuation of Operation Without a Trace
4 and related Bureau of Alcohol, Tobacco, Firearms,
5 and Explosives agency strategy.

6 (2) Conducting pilot programs and operations.

7 (3) Joint training operations.

8 (e) MEMORANDUM OF UNDERSTANDING.—Not later
9 than 180 days after the date of the enactment of this Act,
10 the Secretary of Homeland Security and the Attorney
11 General shall update the 2009 memorandum of under-
12 standing between Homeland Security Investigations and
13 the Bureau of Alcohol, Tobacco, Firearms, and Explosives
14 relating to improving coordination on efforts to combat il-
15 legal arms trafficking.

○