

119TH CONGRESS
1ST SESSION

S. 1184

To direct the Secretary of Homeland Security to negotiate with the Government of Canada regarding an agreement for integrated cross border aerial law enforcement operations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2025

Ms. HASSAN (for herself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To direct the Secretary of Homeland Security to negotiate with the Government of Canada regarding an agreement for integrated cross border aerial law enforcement operations, 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 Aerial
5 Law Enforcement Operations Act”.

1 **SEC. 2. INTEGRATED CROSS BORDER AERIAL LAW EN-**
2 **FORCEMENT OPERATIONS PROGRAM.**

3 (a) AUTHORIZATION.—If authorized pursuant to a bi-
4 lateral agreement between the United States Government
5 and the Government of Canada, the Secretary of Home-
6 land Security may establish an integrated cross border
7 aerial law enforcement program (referred to in this section
8 as the “Program”) along the international border between
9 the United States and Canada, which may be modeled off
10 the Framework Agreement on Integrated Cross-Border
11 Maritime Law Enforcement Operations Between the Gov-
12 ernment of the United States of America and the Govern-
13 ment of Canada, done at Detroit May 26, 2009.

14 (b) PROGRAM ELEMENTS.—

15 (1) PARTICIPANTS.—The Program may be
16 staffed by approved law enforcement officers from—

17 (A) U.S. Customs and Border Protection;

18 (B) the United States Coast Guard;

19 (C) Homeland Security Investigations;

20 (D) any other Federal law enforcement
21 agency, as appropriate, designated by the Sec-
22 retary of Homeland Security; and

23 (E) appropriate law enforcement agencies
24 of the Government of Canada.

25 (2) SCOPE.—The jurisdiction of the Program
26 shall be limited to the territory located within 50

1 miles of either side of the international border be-
2 tween the United States and Canada unless—

3 (A) a situation within such territory re-
4 quires an aircraft to leave from or return to an
5 airport, heliport, or base of operations located
6 outside such territory; or

7 (B) there are exigent circumstances relat-
8 ing to authorized Program activities, as defined
9 in the underlying bilateral agreement, including
10 an emergency on an aircraft or an emergency
11 on the ground.

12 (3) CIVIL RIGHTS.—The Program shall ensure
13 that the civil rights, civil liberties, and privacy of all
14 individuals within the jurisdiction of the United
15 States are guaranteed in accordance with Federal
16 law.

17 (4) NOTIFICATION REQUIREMENTS.—

18 (A) BILATERAL AGREEMENT.—Not later
19 than 30 days after receiving a copy of a bilat-
20 eral agreement described in subsection (a), the
21 Secretary of Homeland Security shall submit a
22 signed copy of such agreement to the Com-
23 mittee on Homeland Security and Govern-
24 mental Affairs of the Senate, the Committee on
25 Foreign Relations of the Senate, the Committee

on Homeland Security of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives.

(B) PROGRAM ELEMENTS AND SCOPE.—

Not later than 30 days after the implementation of the Program, the Secretary of Homeland Security shall submit a written description of the elements and scope of the Program to the congressional committees listed under subparagraph (A).

(5) PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES TRAINING.—

(A) IN GENERAL.—Any agreement described in subsection (a) shall include specific provisions that—

(i) are intended to protect the privacy and civil liberties of United States citizens; and

(ii) ensure that cross border aerial law enforcement operations are conducted in a manner that—

(I) respects individual rights; and

(II) complies with applicable United States laws.

1 (B) TRAINING.—Any officer of the United
2 States or of Canada, before participating in the
3 Program, shall complete sufficient training to
4 ensure they understand their responsibilities to
5 protect the privacy, civil liberties, and civil
6 rights of United States citizens.

7 (c) COMMUNICATIONS.—Each of the agencies re-
8 ferred to in subsection (b)(1) are authorized to establish
9 necessary communication protocols for the safety of cross
10 border aerial law enforcement operations.

11 (d) FAILURE TO FINALIZE PROGRAM REPORT.—If
12 the Program is not established on or before the date that
13 is 2 years after the date of the enactment of this Act,
14 the Secretary of Homeland Security shall submit a report
15 to the congressional committees referred to in subsection
16 (b)(4)(A) that includes—

17 (1) a description of any unresolved issues that
18 are preventing the establishment of the Program;

19 (2) any actions that Congress could take to fa-
20 cilitate the establishment of such Program;

21 (3) any potential concerns relating to civil
22 rights, civil liberties, or privacy that have impacted
23 the establishment of the Program; and

24 (4) a recommendation regarding whether—

1 (A) the Secretary should continue trying to
2 establish such Program; or

3 (B) such Program is not needed.

4 **SEC. 3. UNMANNED AIRCRAFT SYSTEM REPORT.**

5 Not later than 1 year after the date of the enactment
6 of this Act, the Secretary of Homeland Security shall sub-
7 mit an unclassified report, with a classified annex, if nec-
8 essary, to the congressional committees referred to in sec-
9 tion 2(b)(4)(A) that describes the use of unmanned air-
10 craft systems (referred to in this section as “UAS”) along
11 the northern international border of the United States, in-
12 cluding—

13 (1) interagency coordination to mitigate incur-
14 sions from unauthorized UAS;

15 (2) any jurisdictional issues that would prevent
16 the mitigation of unauthorized UAS;

17 (3) the use of UAS by malign actors—

18 (A) to collect intelligence or surveil law en-
19 forcement operations;

20 (B) to move contraband, persons, or pay-
21 loads across the international border; or

22 (C) to conduct espionage;

23 (4) an assessment of the feasibility for joint,
24 cross-border law enforcement operations involving
25 UAS or counter-unmanned aircraft systems; and

1 (5) the potential risks to civil rights, civil lib-
2 erties, and privacy resulting from the Department of
3 Homeland Security operating UAS and counter-un-
4 manned aircraft systems along the northern border
5 of the United States.

6 **SEC. 4. NO ADDITIONAL FUNDS.**

7 No additional funds are authorized to be appro-
8 priated for the purpose of carrying out this Act.

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