

S 1640

Empowering Law Enforcement Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: May 17, 2023

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (May 17, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/1640>

Sponsor

Name: Sen. Tuberville, Tommy [R-AL]

Party: Republican • State: AL • Chamber: Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blackburn, Marsha [R-TN]	R · TN		May 17, 2023
Sen. Cassidy, Bill [R-LA]	R · LA		May 17, 2023
Sen. Budd, Ted [R-NC]	R · NC		Jun 8, 2023

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 17, 2023

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
118 HR 3407	Identical bill	May 17, 2023: Referred to the House Committee on the Judiciary.

Empowering Law Enforcement Act of 2023

This bill addresses issues relating to immigration enforcement.

The bill declares that state and local law enforcement have inherent authority to investigate and arrest individuals to assist federal immigration enforcement. (Currently, state and local law enforcement may take certain immigration enforcement actions upon entering into an agreement with U.S. Immigration and Customs Enforcement.)

The Department of Homeland Security (DHS) must reimburse state and local law enforcement for the costs of holding or transporting a detained non-U.S. national (*alien* under federal law).

DHS may detain an individual beyond the removal period (generally the window in which DHS must remove an individual after a final order of removal) upon making certain certifications, such as certifying that the individual's release would threaten community safety. DHS may renew this certification every six months after giving the individual an opportunity to request a reconsideration. An individual challenging such detention may only do so by applying for a writ of habeas corpus.

Certain individuals subject to mandatory detention may be held without time limitation while removal proceedings are pending.

DHS must detain an individual who is present in the United States without lawful status if the individual has been convicted for driving while intoxicated.

DHS must establish a process to determine whether an individual not subject to mandatory detention and who has tried to comply with a removal order should be detained or released with conditions.

The Department of Justice must include information about immigration law violations in the National Crime Information Center database.

Actions Timeline

- **May 17, 2023:** Introduced in Senate
- **May 17, 2023:** Read twice and referred to the Committee on the Judiciary.