

## 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**

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