

119TH CONGRESS
1ST SESSION

S. _____

To enhance the effectiveness of the Shadow Wolves Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GALLEGO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To enhance the effectiveness of the Shadow Wolves Program, 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 “Shadow Wolves Im-
5 provement Act”.

6 **SEC. 2. ENHANCING THE EFFECTIVENESS OF THE SHADOW**
7 **WOLVES PROGRAM.**

8 (a) IN GENERAL.—Subtitle D of title IV of the
9 Homeland Security Act of 2002 (6 U.S.C. 251 et seq.)
10 is amended by adding at the end the following:

1 **“SEC. 448. SHADOW WOLVES PROGRAM.**

2 “(a) MISSION AND GOALS.—The Director of U.S.
3 Immigration and Customs Enforcement (referred to in
4 this section as the ‘Director’), in coordination with appro-
5 priate representatives of partnering Tribal governments,
6 including the Tohono O’odham Nation, shall specify the
7 mission and goals of the Shadow Wolves Program.

8 “(b) STAFFING.—The Director shall determine—

9 “(1) the number of special agents needed to
10 staff the Shadow Wolves Program nationally; and

11 “(2) the knowledge, skills, and abilities that
12 such special agents shall be required to possess.

13 “(c) STRATEGY.—Not later than 180 days after the
14 date of the enactment of the Shadow Wolves Improvement
15 Act, the Director, in consultation with appropriate rep-
16 resentatives of partnering Tribal governments, including
17 the Tohono O’odham Nation, shall update the strategy re-
18 quired under section 3 of the Shadow Wolves Enhance-
19 ment Act (Public Law 117–113) by adding—

20 “(1) measurable objectives to achieve the reten-
21 tion and recruitment of law enforcement officers,
22 and the expansion goals set forth in the strategy;

23 “(2) a timeline for achieving such goals; and

24 “(3) milestones for recruiting qualified special
25 agents for the Shadow Wolves Program to meet the

1 target identified in the staffing needs assessment re-
2 quired under subsection (b)(1).

3 “(d) PROVISION OF INFORMATION.—The Director
4 shall provide, to all GS–1801 Tactical Officers who are
5 employed as Shadow Wolves by Homeland Security Inves-
6 tigation as of the date of the enactment of the Shadow
7 Wolves Improvement Act, written information that will
8 help them make an informed decision about reclassifying
9 as special agents, including—

10 “(1) individualized information regarding how
11 reclassification would affect pay, including changes
12 to overtime pay, and retirement compensation;

13 “(2) steps such officers are required to com-
14 plete to be reclassified as special agents, including—

15 “(A) whether they must meet training re-
16 quirements;

17 “(B) a description of those requirements;

18 “(C) whether they are exempt from phys-
19 ical fitness, medical, or polygraph examinations;
20 and

21 “(D) whether they are eligible for overtime
22 pay during such training; and

23 “(3) any other relevant information that the
24 Director believes would help such officers make an
25 informed decision regarding such reclassification.

1 “(e) SUCCESSION PLAN.—The Director shall develop
2 a plan for the timely recruitment of qualified individuals
3 to fill vacant special agent positions in the Shadow Wolves
4 Program that will result from anticipated retirements.

5 “(f) PROGRAM EXPANSION.—The Director shall—

6 “(1) develop criteria for evaluating and select-
7 ing additional tribal lands on which additional Shad-
8 ow Wolves units may be located, including the
9 amount of additional funding necessary and poten-
10 tial sources for such funding; and

11 “(2) in developing such criteria, give consider-
12 ation to tribal lands located in proximity to existing
13 facilities that provide Federal law enforcement train-
14 ing.”.

15 (b) CLERICAL AMENDMENT.—The table of contents
16 for the Homeland Security Act of 2002 (6 U.S.C. 101 et
17 seq.) is amended by inserting after the item relating to
18 section 447 the following:

“Sec. 448. Shadow Wolves Program.”.

19 **SEC. 3. REPORT TO CONGRESS ON IMPLEMENTATION OF**
20 **SHADOW WOLVES PROGRAM ENHANCE-**
21 **MENTS.**

22 (a) DEFINITIONS.—In this section:

23 (1) DIRECTOR.—The term “Director” means
24 the Director of U.S. Immigration and Customs En-
25 forcement.

1 (2) RELEVANT CONGRESSIONAL COMMIT-
2 TEES.—The term “relevant congressional commit-
3 tees” means—

4 (A) the Committee on Homeland Security
5 and Governmental Affairs of the Senate;

6 (B) the Committee on the Judiciary of the
7 Senate;

8 (C) the Committee on Homeland Security
9 of the House of Representatives; and

10 (D) the Committee on the Judiciary of the
11 House of Representatives.

12 (b) REPORT.—Not later than 1 year after the date
13 of the enactment of this Act, the Director shall submit
14 a report to the relevant congressional committees that de-
15 scribes the progress that has been made towards the full
16 implementation of—

17 (1) section 448 of the Homeland Security Act
18 of 2002, as added by section 2(a), including the re-
19 quired coordination with appropriate representatives
20 of the Tohono O’odham Nation and other partnering
21 Tribal governments, to specify the mission and goals
22 of the Shadow Wolves Program, which shall include
23 tracking, interdiction, and investigation; and

24 (2) section 2(4) of the Shadow Wolves En-
25 hancement Act, as added by section 4.

1 **SEC. 4. CONVERSION OF EXPERIENCED SHADOW WOLVES**
2 **TO CAREER APPOINTMENT IN THE COMPETI-**
3 **TIVE SERVICE.**

4 Section 2 of the Shadow Wolves Enhancement Act
5 (Public Law 117–113) is amended—

6 (1) in paragraph (2), by striking “and” at the
7 end;

8 (2) in paragraph (3), by striking the period at
9 the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(4) to noncompetitively convert Shadow
12 Wolves, after their successful completion of three
13 years as Shadow Wolves, regardless of location as-
14 signed, from the excepted service to career or career
15 conditional appointments in the competitive serv-
16 ice.”.