

118TH CONGRESS
1ST SESSION

H. R. 4904

To establish certain funds to construct and maintain physical barriers along the southern international border of the United States and award grants to certain organizations addressing the fentanyl crisis.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2023

Mr. FEENSTRA (for himself, Mr. BABIN, Ms. VAN DUYNÉ, Mr. MCCORMICK, Mr. WILSON of South Carolina, Mr. WEBSTER of Florida, Mr. MOORE of Alabama, Mr. SELF, Mrs. MILLER of West Virginia, Mr. JACKSON of Texas, Mr. BAIRD, Mr. DESJARLAIS, and Mr. STEUBE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish certain funds to construct and maintain physical barriers along the southern international border of the United States and award grants to certain organizations addressing the fentanyl crisis.

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 “Build the Wall and
5 Fight Fentanyl Act of 2023”.

1 **SEC. 2. FUNDS ESTABLISHED FOR CERTAIN PURPOSES.**

2 (a) SOUTHERN BORDER WALL FULFILLMENT
3 FUND.—

4 (1) ESTABLISHMENT.—There is established in
5 the general fund of the Treasury a separate account
6 which shall be known as the “Southern Border Wall
7 Fulfillment Fund”.

8 (2) FUNDING.—Notwithstanding any other pro-
9 vision of law, there shall be deposited in the fund
10 any amount of assets seized by the Drug Enforce-
11 ment Administration, U.S. Immigration and Cus-
12 toms Enforcement, or the U.S. Customs and Border
13 Protection from a cartel.

14 (3) FUND USES.—Money from this fund shall
15 be used by the Secretary of Homeland Security to
16 construct and maintain physical barriers along the
17 southern international border of the United States.

18 (b) COMBATING THE FENTANYL EPIDEMIC FUND.—

19 (1) ESTABLISHMENT.—There is established in
20 the general fund of the Treasury a separate account
21 which shall be known as the “Combating The
22 Fentanyl Epidemic Fund”.

23 (2) FUNDING.—Notwithstanding any other pro-
24 vision of law, there shall be deposited in the fund
25 any amount of assets seized by the Drug Enforce-
26 ment Administration, U.S. Immigration and Cus-

1 toms Enforcement, or the U.S. Customs and Border
2 Protection from a cartel.

3 (3) FUND USES.—

4 (A) IN GENERAL.—Money from this fund
5 shall be used by the Secretary of Homeland Se-
6 curity to establish a grant to be awarded to eli-
7 gible entities that help address the fentanyl cri-
8 sis.

9 (B) ELIGIBLE ORGANIZATIONS.—In this
10 paragraph, the term “eligible entities” in-
11 cludes—

12 (i) State and local law enforcement
13 agencies;

14 (ii) State and local health and human
15 services agencies;

16 (iii) rehabilitation facilities; and

17 (iv) drug-use prevention advocacy or-
18 ganizations.

19 (c) DISTRIBUTION OF FUNDS.—Any amount of as-
20 sets seized by the Drug Enforcement Administration, U.S.
21 Immigration and Customs Enforcement, or the U.S. Cus-
22 toms and Border Protection from a cartel shall be distrib-
23 uted equally between the funds established in subsections
24 (a) and (b).

25 (d) DEFINITIONS.—In this section:

1 (1) ASSETS SEIZED.—The term “assets seized”
2 includes any money seized or the proceeds from any
3 assets seized and sold at auction.

4 (2) CARTEL.—The term “cartel” means—

5 (A) any organization with known oper-
6 ations in Mexico and the United States that has
7 been designated as a significant transnational
8 criminal organization under part 590 of title
9 31, Code of Federal Regulations;

10 (B) any of the organizations known as—

11 (i) the Sinaloa Cartel;

12 (ii) the Jalisco New Generation Car-

13 tel;

14 (iii) the Gulf Cartel;

15 (iv) the Los Zetas Cartel;

16 (v) the Juarez Cartel;

17 (vi) the Tijuana Cartel;

18 (vii) the Beltran-Leyva Cartel;

19 (viii) La Familia Michoacana, also
20 known as the Knights Templar Cartel; or

21 (ix) La Nueva Familia Michoacan;

22 (C) any other organization that the Presi-
23 dent determines is a transnational criminal or-
24 ganization with operations in Mexico and the
25 United States; or

1 (D) any successor organization to an orga-
2 nization described in subparagraph (B) or as
3 otherwise determined by the President.

○