

118TH CONGRESS
1ST SESSION

H. R. 672

To establish trust funds relating to border security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2023

Mr. MORAN (for himself, Mr. DESJARLAIS, Mr. ELLZEY, Ms. GRANGER, Mr. BABIN, Mr. GOODEN of Texas, Mr. NEHLS, Ms. VAN DUYNE, Mr. WEBER of Texas, Mr. CLOUD, Mr. SELF, Mr. LUTTRELL, and Mr. JACKSON of Texas) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Financial Services, 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 trust funds relating to border security, 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 “Border Security In-
5 vestment Act”.

1 **SEC. 2. ESTABLISHMENT OF TRUST FUNDS RELATING TO**
2 **BORDER SECURITY.**

3 (a) **ADDITIONAL REMITTANCE TRANSFER FEES.**—
4 Section 920 of the Electronic Fund Transfer Act (relating
5 to remittance transfers) (15 U.S.C. 1693o–1) is amend-
6 ed—

7 (1) by redesignating subsection (g) as sub-
8 section (h); and

9 (2) by inserting after subsection (f) the fol-
10 lowing:

11 “(g) **ADDITIONAL REMITTANCE FEES.**—

12 “(1) **IN GENERAL.**—A remittance transfer pro-
13 vider that is a money services business shall impose
14 a fee on each person sending a remittance transfer
15 to a covered country in an amount equal to 37 per-
16 cent of the remittance transfer amount.

17 “(2) **TRANSFER OF FEES.**—All fees collected
18 under this subsection shall be submitted to the De-
19 partment of the Treasury for deposit in the general
20 fund, in such form and in such manner as the Sec-
21 retary of the Treasury shall establish by rule.

22 “(3) **DEFINITIONS.**—In this subsection:

23 “(A) **COVERED COUNTRY.**—With respect
24 to a fiscal year, the term ‘covered country’
25 means each country identified by the Commis-
26 sioner of U.S. Customs and Border Protection

1 as one of the 5 countries that had the most citi-
2 zens or nationals unlawfully enter the United
3 States during the previous fiscal year.

4 “(B) MONEY SERVICES BUSINESS.—The
5 term ‘money services business’ has the meaning
6 given that term under section 1010.100 of title
7 31, Code of Federal Regulations.”.

8 (b) BORDER SECURITY STATE REIMBURSEMENT
9 TRUST FUND.—

10 (1) IN GENERAL.—There is established in the
11 Treasury a trust fund, to be known as the “Border
12 Security State Reimbursement Trust Fund” (in this
13 section referred to as the “Reimbursement Fund”),
14 consisting of amounts transferred under paragraph
15 (2) and any amounts credited under paragraph (3).

16 (2) TRANSFER.—In fiscal year 2025 and each
17 fiscal year thereafter, the Secretary of the Treasury
18 shall transfer to the Reimbursement Fund, from the
19 general fund of the Treasury, an amount equal to
20 fifty percent of the total amount of remittance fees
21 collected under subsection (g)(2) of section 920 of
22 the Electronic Fund Transfer Act (relating to remit-
23 tance transfers; 15 U.S.C. 1693o–1) during the im-
24 mediately preceding fiscal year.

25 (3) INVESTMENT OF AMOUNTS.—

1 (A) IN GENERAL.—The Secretary of the
2 Treasury shall invest such portion of the Reim-
3 bursement Fund as is not required to meet cur-
4 rent withdrawals in interest-bearing obligations
5 of the United States or in obligations guaran-
6 teed as to both principal and interest by the
7 United States.

8 (B) INTEREST AND PROCEEDS.—The in-
9 terest on, and the proceeds from the sale or re-
10 demption of, any obligations held in the Reim-
11 bursement Fund shall be credited to the Reim-
12 bursement Fund.

13 (4) PURPOSE; APPLICATION.—

14 (A) IN GENERAL.—Amounts in the Reim-
15 bursement Fund shall be available to the Sec-
16 retary of Homeland Security, without further
17 appropriation, to reimburse border States for
18 expenditures incurred by such States relating to
19 border security enforcement measures.

20 (B) APPLICATION.—Not later than 30
21 days after the beginning of any fiscal year be-
22 ginning in fiscal year 2025, a border State may
23 apply to the Secretary to receive amounts from
24 the Reimbursement Fund by submitting re-
25 ceipts, in such form and manner as the Sec-

1 retary deems appropriate, of expenditures relat-
2 ing to border security enforcement measures
3 made during the immediately preceding fiscal
4 year.

5 (C) AMOUNT.—The Secretary shall
6 promptly distribute from the Reimbursement
7 Fund, to any border State that submits an ap-
8 plication under subparagraph (B), an amount
9 equal to the proportion that the amount ex-
10 pended by such a border State in the applicable
11 immediately preceding fiscal year bears to the
12 total amount expended in such fiscal year by all
13 such border States so submitting an applica-
14 tion.

15 (D) BORDER SECURITY ENFORCEMENT
16 MEASURES.—In this subparagraph, an expendi-
17 ture by a border State shall be deemed to be re-
18 lated to border security enforcement measures
19 if that expenditure directly or indirectly was
20 used for the mission of deterring unlawful
21 crossings, detecting unlawful activity and entry
22 into the United States, or for gaining oper-
23 ational control of the southwest border.

24 (e) BORDER SECURITY TRUST FUND.—

1 (1) IN GENERAL.—There is established in the
2 Treasury a trust fund, to be known as the “Border
3 Security Trust Fund” (in this section referred to as
4 the “Security Fund”), consisting of amounts trans-
5 ferred under paragraph (2) and any amounts cred-
6 ited under paragraph (3).

7 (2) TRANSFERS.—In fiscal year 2025 and each
8 fiscal year thereafter, the Secretary of the Treasury
9 shall transfer to the Security Fund, from the general
10 fund of the Treasury, an amount equal to fifty per-
11 cent of the total amount of remittance fees collected
12 under subsection (g)(2) of section 920 of the Elec-
13 tronic Fund Transfer Act (relating to remittance
14 transfers; 15 U.S.C. 1693o–1) during the imme-
15 diately preceding fiscal year.

16 (3) INVESTMENT OF AMOUNTS.—

17 (A) IN GENERAL.—The Secretary of the
18 Treasury shall invest such portion of the Secu-
19 rity Fund as is not required to meet current
20 withdrawals in interest-bearing obligations of
21 the United States or in obligations guaranteed
22 as to both principal and interest by the United
23 States.

24 (B) INTEREST AND PROCEEDS.—The in-
25 terest on, and the proceeds from the sale or re-

1 demption of, any obligations held in the Secu-
2 rity Fund shall be credited to the Security
3 Fund.

4 (4) PURPOSES.—Amounts in the Security Fund
5 shall be available to the Secretary of Homeland Se-
6 curity, without further appropriation, for the fol-
7 lowing purposes:

8 (A) The deployment of technology intended
9 to detect and prevent unlawful crossings along
10 the United States-Mexico border.

11 (B) The installation of physical barriers at
12 the southern border.

13 (C) Wages and salaries for U.S. Border
14 Patrol agents.

15 (d) RESCISSION OF EXCESS AMOUNTS.—If the sum
16 of the total funds in each of the Reimbursement Fund and
17 the Security Fund is greater than \$50,000,000,000, an
18 amount equal to the funds in excess of \$50,000,000,000
19 shall be—

20 (1) permanently rescinded from such total
21 funds; and

22 (2) deposited in the general fund of the Treas-
23 ury where such funds shall be—

24 (A) dedicated for the sole purpose of def-
25 icit reduction; and

1 (B) prohibited from use as an offset for
2 other spending increases or revenue reductions.

3 (e) **EFFECTIVE DATE.**—This Act and the amendment
4 made by this Act shall take effect and apply beginning
5 on January 1, 2024.

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