

118TH CONGRESS
1ST SESSION

H. R. 761

To direct the Administrator of the Federal Emergency Management Agency to establish a grant program to reimburse individuals for loss or damage to property near the southern border of the United States caused by an individual illegally crossing the border, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Mrs. BICE (for herself, Mr. CRENSHAW, Mr. TONY GONZALES of Texas, Mr. FALLON, 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 Appropriations, 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 direct the Administrator of the Federal Emergency Management Agency to establish a grant program to reimburse individuals for loss or damage to property near the southern border of the United States caused by an individual illegally crossing the border, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Securing American
3 Families from Exploitation at the Border Act” or the
4 “SAFE Border Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) **IMPACTED PARTY.**—The term “impacted
8 party” means an individual who—

9 (A) owns real property within, the border
10 zone; and

11 (B) has experienced property theft or prop-
12 erty damage on the property, as applicable, by
13 an individual illegally crossing the U.S.-Mexico
14 border.

15 (2) **AT-RISK PARTY.**—The term “at-risk party”
16 means an individual who—

17 (A) owns property within the border zone
18 that does not have a bollard-style border barrier
19 that is adjacent to such property; and

20 (B) reasonably believes to be at risk of ex-
21 perienceing property theft or property damage
22 on the property, as applicable, by an individual
23 illegally crossing the U.S.-Mexico border.

24 (3) **BORDER ZONE.**—The term “border zone”
25 means the area of the United States that is within
26 10 miles of the U.S.-Mexico border.

1 **SEC. 3. SOUTHERN BORDER LANDOWNER SECURITY GRANT**
2 **PROGRAM.**

3 The Administrator of the Federal Emergency Man-
4 agement Agency shall establish a grant program to be
5 known as the Southern Border Landowner Security Grant
6 Program to provide grants to impacted parties to cover
7 losses or damage to property and to at-risk parties to im-
8 prove the security of certain property.

9 **SEC. 4. GRANTS TO IMPACTED PARTIES.**

10 (a) IN GENERAL.—The Administrator may provide
11 grants under this Act to an impacted party to cover loss
12 or damages not otherwise covered by insurance to the im-
13 pacted property if such party certifies, to the satisfaction
14 of the Administrator, that the property—

15 (1) was located in the border zone at the time
16 such loss or damage occurred; and

17 (2) the loss or damage was caused by an indi-
18 vidual illegally crossing the U.S.-Mexico border.

19 (b) APPLICATION.—To be eligible for a grant under
20 this section, an impacted party shall submit to the Admin-
21 istrator an application that includes documentation of the
22 loss or damage and an estimate of the value of such loss
23 or an estimate of the cost to repair such damage.

24 **SEC. 5. GRANTS TO AT-RISK PARTIES.**

25 (a) IN GENERAL.—The Administrator may provide
26 grants under this Act to an at-risk party to improve the

1 physical security of property located within the border
2 zone if such party certifies, to the satisfaction of the Ad-
3 ministrator, that the party reasonably believes that the
4 property of such party is at risk of loss or damage caused
5 by an individual illegally crossing the U.S.-Mexico border.

6 (b) REPORT ON USE OF FUNDS.—Not later than 290
7 days after an at-risk party receives funds under this sec-
8 tion, such party shall submit to the Administrator docu-
9 mentation on how the party spends such funds. Any funds
10 that remain unspent on the day on which such documenta-
11 tion is submitted shall be returned to the Administrator
12 for further provision under this section.

13 **SEC. 6. FUNDING.**

14 (a) TRANSFER OF FUNDS.—Of the funds appro-
15 priated under the heading “Procurement, Construction,
16 and Improvement” for use by the U.S. Customs and Bor-
17 der Patrol that are unobligated and unexpended as of the
18 date of enactment of this Act, \$75,000,000 shall be trans-
19 ferred to the Administrator to provide grants under this
20 Act.

21 (b) FISCAL YEAR LIMITATION.—Of the funds trans-
22 ferred under subsection (a), the Administrator may ex-
23 pend \$25,000,000 for each of fiscal years 2022 through
24 2024.

1 (c) LIMITATION ON GRANT AMOUNT.—An individual
2 may not receive more than a total of \$25,000 under this
3 section for fiscal years 2022 through 2024.

4 **SEC. 7. REGULATIONS.**

5 The Administrator may issues such regulations as are
6 necessary to carry out this Act, including—

7 (1) requirements that applicants for funds
8 under this Act submit evidentiary documentation, in-
9 cluding property deeds, police reports, insurance cov-
10 erage documentation, and other documentation con-
11 sidered appropriate by the Administrator;

12 (2) a review process conducted by the Adminis-
13 trator or the inspector general of the Agency to re-
14 view applications annually for waste, fraud, and
15 abuse; and

16 (3) the applicable penalties for fraudulent
17 claims or false statements.

18 **SEC. 8. SUNSET.**

19 The authority to provide grants under this Act shall
20 cease on the last date of fiscal year 2026. Any funds that
21 have not been obligated under this section before that date
22 shall be transferred to the heading “Procurement, Con-
23 struction, and Improvement” for use by the U.S. Customs
24 and Border Patrol.

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