

118TH CONGRESS  
2D SESSION

# H. R. 8935

To direct the Administrator of the Federal Emergency Management Agency to establish the Border Security and Enforcement Block Grant Program.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 5, 2024

Mr. McCAUL (for himself and Mr. TURNER) 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

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## A BILL

To direct the Administrator of the Federal Emergency Management Agency to establish the Border Security and Enforcement Block Grant Program.

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 and  
5 Enforcement Block Grant Act of 2024”.

1 **SEC. 2. BORDER SECURITY AND ENFORCEMENT BLOCK**  
2 **GRANT PROGRAM.**

3 (a) AUTHORIZATION.—The Administrator of the  
4 Federal Emergency Management Agency is authorized to  
5 establish a grant program, to be known as the “Border  
6 Security and Enforcement Block Grant Program”, to pro-  
7 vide block grants to eligible States to construct , maintain,  
8 repair, or improve, a physical border barrier system along  
9 the southwest border of the United States.

10 (b) APPLICATION.—An eligible State seeking a grant  
11 under this section shall submit an application to the Ad-  
12 ministrator at such time, in such manner, and containing  
13 such information as the Administrator may reasonably re-  
14 quire, including—

15 (1) a description of the intended use of funds  
16 under subsection (c); and

17 (2) documentation of any alleged loss or dam-  
18 age to the State as a result of the lack of an up-  
19 dated physical border barrier along the southwest  
20 border of the United States in that State.

21 (c) USES OF FUNDS.—

22 (1) IN GENERAL.—A State that receives a  
23 grant under this section may use such funds to—

24 (A) construct a physical border barrier sys-  
25 tem along the southwest border of the United  
26 States;

1 (B) maintain a physical border barrier sys-  
2 tem along the southwest border of the United  
3 States; or

4 (C) improve and or repair a physical bor-  
5 der barrier system along the southwest border  
6 of the United States.

7 (2) CLARIFICATION.—The uses of funds de-  
8 scribed in paragraph (1) include costs associated  
9 with—

10 (A) maintaining equipment used for any of  
11 the activities described in such paragraph;

12 (B) paying personnel to carry out such ac-  
13 tivities, including the payment of overtime and  
14 backfill; and

15 (C) any activity permitted for Operation  
16 Stonegarden under the most recent fiscal year  
17 Department of Homeland Security’s Homeland  
18 Security Grant Program Notice of Funding Op-  
19 portunity.

20 (d) ELIGIBILITY.—A State is eligible for a grant  
21 under this section if—

22 (1) the State is located along the southwest  
23 border of the United States; and

24 (2) at the time of applying for the grant, a  
25 physical border barrier along the portion of the

1 southwest border of the United States in that State  
2 does not exist or is in need of maintenance, improve-  
3 ment or repair.

4 (e) AWARDS.—Not later than 90 days after receiving  
5 a grant application under this section, the Administrator  
6 shall make a determination with respect to the application.

7 (f) FEDERAL LAND.—Upon approval of a grant ap-  
8 plication under this section by a State seeking to use the  
9 grant for a purpose described in subsection (c) on Federal  
10 land, the Secretary shall enter into an agreement with the  
11 State to provide the State with any easement (including  
12 any appropriate right of way) that is necessary for the  
13 State to complete such work.

14 (g) NOTIFICATION.—If the Administrator denies a  
15 grant application under this section, the Administrator  
16 shall provide written notice to the Committee on Home-  
17 land Security of the House of Representatives and the  
18 Committee on Homeland Security and Governmental Af-  
19 fairs of the Senate, detailing the justification for the de-  
20 nial.

21 (h) REPORT.—For each of fiscal years 2025 through  
22 2027, the Administrator shall submit to the Committee  
23 on Homeland Security of the House of Representatives  
24 and the Committee on Homeland Security and Govern-  
25 mental Affairs of the Senate a report that contains infor-

1 mation on the expenditure of grants made under this sec-  
2 tion by each grant recipient.

3 (i) FUNDING.—

4 (1) TRANSFER OF FUNDS.—

5 (A) IN GENERAL.—Of the funds appro-  
6 priated under “Procurement, Construction, and  
7 Improvement” for use by the U.S. Customs and  
8 Border Protection that are unobligated and un-  
9 expended as of the date of enactment of this  
10 Act, \$60,000,000 shall be transferred to the  
11 Administrator to provide grants under this Act.

12 (B) FISCAL YEAR LIMITATION.—Of the  
13 funds transferred under subsection (a), the Ad-  
14 ministrator may expend up to \$20,000,000 for  
15 each of fiscal years 2025 through 2027.

16 (2) AUTHORIZATION OF APPROPRIATIONS.—

17 There is authorized to be appropriated  
18 \$110,000,000 for each of fiscal years 2025 through  
19 2027 for grants under this section.

20 **SEC. 3. SUNSET.**

21 The authority to provide grants under this Act shall  
22 cease on the last day of fiscal year 2027. Any funds that  
23 have not been obligated under this section prior that date  
24 shall be transferred to “Procurement, Construction, and

- 1 Improvement'' for use by the U.S. Customs and Border
- 2 Protection.

