

115TH CONGRESS
1ST SESSION

H. R. 1813

To amend the Electronic Fund Transfer Act to impose a fee for remittance transfers to certain foreign countries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2017

Mr. ROGERS of Alabama (for himself, Mr. BARLETTA, Mr. GAETZ, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. KELLY of Mississippi, and Mr. CRAWFORD) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, and the Judiciary, 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 amend the Electronic Fund Transfer Act to impose a fee for remittance transfers to certain foreign countries, 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 Wall Funding
5 Act of 2017”.

1 **SEC. 2. FEES FOR CERTAIN REMITTANCE TRANSFERS.**

2 Section 920 of the Electronic Fund Transfer Act (re-
3 lating to remittance transfers) (15 U.S.C. 1693o–1) is
4 amended—

5 (1) by redesignating subsection (g) as sub-
6 section (h); and

7 (2) by inserting after subsection (f) the fol-
8 lowing:

9 “(g) **BORDER SECURITY FEE COLLECTION.**—

10 “(1) **IN GENERAL.**—

11 “(A) **FEES.**—If the designated recipient of
12 a remittance transfer is located in a foreign
13 country described in subparagraph (B), a remit-
14 tance transfer provider shall collect from the
15 sender of such remittance transfer a remittance
16 fee equal to 2 percent of the United States dol-
17 lar amount to be transferred (excluding any
18 fees or other charges imposed by the remittance
19 transfer provider). Except as provided in sub-
20 paragraph (C), such remittance fees shall be
21 submitted to the Treasury to be expended for
22 the purpose of improving border security.

23 “(B) **FOREIGN COUNTRIES.**—Subpara-
24 graph (A) shall apply to designated recipients
25 located in Mexico, Guatemala, Belize, Cuba, the
26 Cayman Islands, Haiti, the Dominican Repub-

1 lic, the Bahamas, Turks and Caicos, Jamaica,
2 El Salvador, Honduras, Nicaragua, Costa Rica,
3 Panama, Colombia, Venezuela, Aruba, Curacao,
4 the British Virgin Islands, Anguilla, Antigua
5 and Barbuda, Saint Kitts and Nevis,
6 Montserrat, Guadeloupe, Dominica, Martinique,
7 Saint Lucia, Saint Vincent and the Grenadines,
8 Barbados, Grenada, Guyana, Suriname, French
9 Guiana, Ecuador, Peru, Brazil, Bolivia, Chile,
10 Paraguay, Uruguay, or Argentina.

11 “(C) COSTS.—For the 5-year period begin-
12 ning on the date of the enactment of this sub-
13 section, a remittance transfer provider may re-
14 tain up to 5 percent of any remittance fees col-
15 lected by such remittance transfer provider pur-
16 suant to subparagraph (A) to cover the costs of
17 collecting and submitting such remittance fees.

18 “(2) FEE COLLECTION SYSTEM.—Not later
19 than September 30, 2017, the Bureau, in consulta-
20 tion with the Secretary of Homeland Security, the
21 Secretary of the Treasury, and remittance transfer
22 providers, shall develop and make available a system
23 for remittance transfer providers to—

1 “(A) submit the remittance fees collected
2 in accordance with paragraph (1)(A) to the
3 Treasury; and

4 “(B) retain a portion of such remittance
5 fees in accordance with paragraph (1)(C).

6 “(3) PENALTIES.—

7 “(A) Whoever, with the intent to evade a
8 remittance fee to be collected in accordance
9 with this subsection, and who has knowledge
10 that, at the time of a remittance transfer, the
11 value of the funds involved in the transfer will
12 be further transferred to a recipient located in
13 a country listed in paragraph (1)(B), requests
14 or facilitates such remittance transfer to a des-
15 ignated recipient in a country that is not listed
16 in paragraph (1)(B) shall be subject to a pen-
17 alty of not more than \$500,000 or twice the
18 value of the funds involved in the remittance
19 transfer, whichever is greater, or imprisonment
20 for not more than 20 years, or both.

21 “(B) Any foreign country that, in the joint
22 determination of the Secretary of Homeland Se-
23 curity, the Secretary of the Treasury, and the
24 Secretary of State aids or harbors an individual
25 conspiring to avoid the fee collected in accord-

1 ance with this subsection shall be ineligible to
2 receive foreign assistance and to participate in
3 the visa waiver program or any other programs,
4 at the discretion of the Secretaries described in
5 this subparagraph.”.

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