

119TH CONGRESS
1ST SESSION

H. R. 445

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2025

Mr. MORAN (for himself, Mr. ELLZEY, Mr. SELF, Mr. BABIN, Mr. GOODEN, Mr. NEHLS, and Mr. WEBER 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”.

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

8 (a) **ADDITIONAL REMITTANCE TRANSFER FEES.—**
9 Section 920 of the Electronic Fund Transfer Act (relating

1 to remittance transfers) (15 U.S.C. 1693o–1) is amend-
2 ed—

3 (1) by redesignating subsection (g) as sub-
4 section (h); and

5 (2) by inserting after subsection (f) the fol-
6 lowing:

7 “(g) ADDITIONAL REMITTANCE FEES.—

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

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

18 “(3) DEFINITIONS.—In this subsection:

19 “(A) COVERED COUNTRY.—With respect
20 to a fiscal year, the term ‘covered country’
21 means each country identified by the Commis-
22 sioner of U.S. Customs and Border Protection
23 as one of the 5 countries that had the most citi-
24 zens or nationals unlawfully enter the United
25 States during the previous fiscal year.

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

5 (b) BORDER SECURITY STATE REIMBURSEMENT
6 TRUST FUND.—

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

13 (2) TRANSFER.—In the fiscal year that begins
14 immediately after the date of the enactment of this
15 Act and each fiscal year thereafter, the Secretary of
16 the Treasury shall transfer to the Reimbursement
17 Fund, from the general fund of the Treasury, an
18 amount equal to fifty percent of the total amount of
19 remittance fees collected under subsection (g)(2) of
20 section 920 of the Electronic Fund Transfer Act (re-
21 lating to remittance transfers; 15 U.S.C. 1693o–1)
22 during the immediately preceding fiscal year.

23 (3) INVESTMENT OF AMOUNTS.—

24 (A) IN GENERAL.—The Secretary of the
25 Treasury shall invest such portion of the Reim-

1 bursement Fund as is not required to meet cur-
2 rent withdrawals in interest-bearing obligations
3 of the United States or in obligations guaran-
4 teed as to both principal and interest by the
5 United States.

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

11 (4) PURPOSE; APPLICATION.—

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

18 (B) APPLICATION.—Not later than 30
19 days after the date of the enactment of this
20 Act, a border State may apply to the Secretary
21 to receive amounts from the Reimbursement
22 Fund by submitting receipts, in such form and
23 manner as the Secretary deems appropriate, of
24 expenditures relating to border security enforce-

1 ment measures made during the immediately
2 preceding fiscal year.

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

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

22 (c) BORDER SECURITY TRUST FUND.—

23 (1) IN GENERAL.—There is established in the
24 Treasury a trust fund, to be known as the “Border
25 Security Trust Fund” (in this section referred to as

1 the “Security Fund”), consisting of amounts trans-
2 ferred under paragraph (2) and any amounts cred-
3 ited under paragraph (3).

4 (2) TRANSFERS.—In the fiscal year that begins
5 immediately after the date of the enactment of this
6 Act and each fiscal year thereafter, the Secretary of
7 the Treasury shall transfer to the Security Fund,
8 from the general fund of the Treasury, an amount
9 equal to fifty percent of the total amount of remit-
10 tance fees collected under subsection (g)(2) of sec-
11 tion 920 of the Electronic Fund Transfer Act (relat-
12 ing to remittance transfers; 15 U.S.C. 1693o–1)
13 during the immediately preceding fiscal year.

14 (3) INVESTMENT OF AMOUNTS.—

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

22 (B) INTEREST AND PROCEEDS.—The in-
23 terest on, and the proceeds from the sale or re-
24 demption of, any obligations held in the Secu-

1 rity Fund shall be credited to the Security
2 Fund.

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

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

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

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

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

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

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

23 (A) dedicated for the sole purpose of def-
24 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 not later than
5 30 days after the date of the enactment of this Act.

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