

118TH CONGRESS
2D SESSION

H. R. 8992

Making appropriations to improve border security, imposing new reporting requirements relating to border security, and enhancing criminal penalties for destroying or evading border controls.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2024

Mr. VASQUEZ (for himself, Mrs. CHAVEZ-DEREMER, and Mr. SORENSEN) introduced the following bill; which was referred to the Committee on Appropriations

A BILL

Making appropriations to improve border security, imposing new reporting requirements relating to border security, and enhancing criminal penalties for destroying or evading border controls.

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 “Stop Fentanyl at the
5 Border Act”.

6 **SEC. 2. FUNDING.**

7 (a) **ENHANCING LAW ENFORCEMENT CAPABILITIES**
8 **AT THE BORDER.**—There is appropriated, out of any

1 money in the Treasury not otherwise appropriated, for the
2 Department of Homeland Security for the fiscal year end-
3 ing September 30, 2025, \$3,409,000,000, to remain avail-
4 able until September 30, 2027, to support and enhance
5 law enforcement capabilities at land borders of the United
6 States, of which—

7 (1) \$300,000,000 shall be for additional civilian
8 U.S. Border Patrol processing coordinators;

9 (2) \$1,750,000,000 shall be for additional U.S.
10 Customs and Border Protection officers, U.S. Bor-
11 der Patrol agents, and mission support staff within
12 the Office of Field Operations and U.S. Border Pa-
13 trol;

14 (3) \$950,000,000 shall be for hiring bonuses,
15 retention bonuses, and retention-focused support
16 services, including mental health services, for U.S.
17 Customs and Border Protection officers, U.S. Bor-
18 der Patrol agents, U.S. Border Patrol processing co-
19 ordinators, and any other U.S. Customs and Border
20 Protection staff whose work supports operations at
21 the land borders of the United States; and

22 (4) \$409,000,000 shall be for “U.S. Citizenship
23 and Immigration Services—Operations and Support”
24 to contribute to improved operations along the land
25 borders of the United States.

1 (b) INCREASING FENTANYL INTERDICTION AND EN-
2 HANCING PROCESSING CAPABILITIES AT THE BORDER.—

3 There is appropriated, out of any money in the Treasury
4 not otherwise appropriated, for U.S. Customs and Border
5 Protection for the fiscal year ending September 30, 2025,
6 \$1,090,000,000, to remain available until September 30,
7 2027, to increase drug interdiction and processing capa-
8 bilities at land borders of the United States, of which—

9 (1) \$960,000,000 shall be for technology im-
10 provements and upgrades, which may include—

11 (A) the procurement and deployment of
12 large-scale, small-scale, and handheld non-intru-
13 sive inspection scanning systems at ports of
14 entry along the land borders of the United
15 States; and

16 (B) upgrades to the information technology
17 infrastructure upon which these systems and
18 associated software are operated;

19 (2) \$30,000,000 shall be for technological and
20 procedural improvements to the process of analyzing
21 and adjudicating images from non-intrusive inspec-
22 tion scanning technology at land ports of entry,
23 which may include support for the continued devel-
24 opment of anomaly detection algorithms to enhance
25 detection of illegal drugs at land ports of entry; and

1 (3) \$100,000,000 shall be for other technology
2 and infrastructure upgrades that the Commissioner
3 for U.S. Customs and Border Protection deems nec-
4 essary for the agency’s drug interdiction work.

5 (c) DISRUPTING THE OUTBOUND FLOW OF FIRE-
6 ARMS AND CURRENCY FROM THE UNITED STATES.—
7 There is appropriated, out of any money in the Treasury
8 not otherwise appropriated, for U.S. Customs and Border
9 Protection for the fiscal year ending September 30, 2025,
10 \$285,000,000, to remain available until September 30,
11 2027, for increasing outbound inspection capabilities, in-
12 cluding disrupting the flow of firearms and currency out
13 of the United States, of which—

14 (1) \$10,000,000 shall be for supporting the cre-
15 ation of a structured outbound inspection program
16 within the Office of Field Operations that includes
17 a comprehensive outbound inspection policy and per-
18 formance metrics to measure the impact of outbound
19 inspections; and

20 (2) \$275,000,000 shall be for outbound inspec-
21 tions infrastructure projects at the land borders of
22 the United States, including—

23 (A) technology and connectivity improve-
24 ments at rural ports of entry; and

1 (B) safety and technology upgrades to out-
2 bound inspection lanes at ports of entry.

3 (d) DISRUPTING TRANSNATIONAL FENTANYL NET-
4 WORKS.—There is appropriated, out of any money in the
5 Treasury not otherwise appropriated, for the fiscal year
6 ending September 30, 2025—

7 (1) \$223,000,000, to remain available until
8 September 30, 2027, to U.S. Immigration and Cus-
9 toms Enforcement to expand efforts to interdict
10 fentanyl and other illegal drugs, and disrupt net-
11 works operated by transnational criminal organiza-
12 tions within the United States, of which—

13 (A) \$113,000,000 shall be for additional
14 Homeland Security Investigations special
15 agents;

16 (B) \$80,000,000 shall be for the imple-
17 mentation of Homeland Security Investigations’
18 Strategy for Combating Illicit Opioids; and

19 (C) \$30,000,000 shall be for joint surge
20 operations along the land borders of the United
21 States by Homeland Security Investigations and
22 U.S. Customs and Border Protection;

23 (2) \$128,000,000, to remain available until
24 September 30, 2027, to the Drug Enforcement Ad-
25 ministration, of which—

1 (A) \$68,000,000 shall be for salaries and
2 expenses relating to increased law enforcement
3 activities along the land borders of the United
4 States; and

5 (B) \$60,000,000 shall be for the High In-
6 tensity Drug Trafficking Areas Program;

7 (3) \$110,000,000, to remain available until
8 September 30, 2027, to the Department of Justice
9 for the Organized Crime Drug Enforcement Task
10 Forces; and

11 (4) \$50,000,000, to remain available until Sep-
12 tember 30, 2027, to the U.S. Marshals Service for
13 salaries and expenses relating to increased law en-
14 forcement activities along the land borders of the
15 United States.

16 **SEC. 3. REPORTING REQUIREMENTS.**

17 (a) REPORT ON U.S. BORDER PATROL PROCESSING
18 COORDINATORS.—Not later than March 31, 2028, the
19 Commissioner for U.S. Customs and Border Protection
20 shall submit a report to Congress that—

21 (1) details the impacts of Border Patrol Proc-
22 essing Coordinator positions; and

23 (2) describes how such positions are supporting
24 the mission of U.S. Customs and Border Protection.

1 (b) REPORT ON NEW OUTBOUND INSPECTIONS PRO-
2 GRAM.—Not later than March 31, 2028, the Executive As-
3 sistant Commissioner of the Office of Field Operations of
4 U.S. Customs and Border Protection shall submit a report
5 to Congress that details the equipment that would be
6 needed to establish a permanent outbound inspections pro-
7 gram to increase the rate of scanning of motor vehicles
8 departing the United States.

9 (c) REPORT ON EXISTING AND PLANNED SCANNING
10 TECHNOLOGY.—Not later than March 31, 2028, the Exec-
11 utive Assistant Commissioner of the Office of Field Oper-
12 ations of U.S. Customs and Border Protection shall sub-
13 mit a report to Congress that details, for each United
14 States land port of entry—

15 (1) a summary of the non-intrusive inspection
16 technology that is in use or is being built out; and

17 (2) the major factors to consider regarding the
18 future procurement and deployment of large-scale,
19 non-intrusive inspection machines at the port of
20 entry, including—

21 (A) existing limitations, including—

22 (i) the footprint of the port of entry;

23 (ii) land that is available for use by

24 U.S. Customs and Border Protection at

25 the port of entry; and

1 (iii) any geological or environmental
2 factors that would affect construction
3 timelines or costs;

4 (B) the volume and modes of traffic at the
5 port of entry, and an estimate of the potential
6 impacts of additional large-scale, non-intrusive
7 inspection systems being deployed, in terms of
8 additional seizures and impacts on transit
9 times; and

10 (C) an analysis of the cost-effectiveness of
11 deploying additional large-scale non-intrusive
12 inspection systems at the port of entry.

13 **SEC. 4. PENALTIES FOR HINDERING IMMIGRATION, BOR-**
14 **DER, AND CUSTOMS CONTROLS.**

15 (a) **PERSONNEL AND STRUCTURES.**—Chapter 8 of
16 title II of the Immigration and Nationality Act (8 U.S.C.
17 1321 et seq.) is amended by inserting after section 274D
18 the following:

19 **“SEC. 274E. DESTROYING OR EVADING BORDER CONTROLS.**

20 “(a) **IN GENERAL.**—It shall be unlawful to knowingly
21 and without lawful authorization—

22 “(1)(A) destroy or significantly damage any
23 fence, barrier, sensor, camera, or other physical or
24 electronic device deployed by the Federal Govern-

1 ment to control an international border of, or a port
2 of entry to, the United States; or

3 “(B) otherwise construct, excavate, or make
4 any structure intended to defeat, circumvent or
5 evade such a fence, barrier, sensor camera, or other
6 physical or electronic device deployed by the Federal
7 Government to control an international border of, or
8 a port of entry to, the United States; and

9 “(2) in carrying out an act described in para-
10 graph (1), have the intent to knowingly and will-
11 fully—

12 “(A) secure a financial gain;

13 “(B) further the objectives of a criminal
14 organization; and

15 “(C) violate—

16 “(i) section 274(a)(1)(A)(i);

17 “(ii) the customs and trade laws of
18 the United States (as defined in section
19 2(4) of the Trade Facilitation and Trade
20 Enforcement Act of 2015 (19 U.S.C.
21 4301(4)));

22 “(iii) any other Federal law relating
23 to transporting controlled substances, agri-
24 culture, or monetary instruments into the
25 United States; or

1 “(iv) any Federal law relating to bor-
2 der control measures of the United States.

3 “(b) PENALTY.—Any person who violates subsection
4 (a) shall be fined under title 18, United States Code, im-
5 prisoned for not more than 5 years, or both.”.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 for the Immigration and Nationality Act (8 U.S.C. 1101
8 et seq.) is amended by inserting after the item relating
9 to section 274D the following:

“Sec. 274E. Destroying or evading border controls.”.

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