

119TH CONGRESS
1ST SESSION

S. _____

To reprogram all remaining unobligated funds from the IRS enforcement account.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of South Carolina (for himself, Mr. CASSIDY, Mr. ROUNDS, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reprogram all remaining unobligated funds from the IRS enforcement account.

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 “Securing our Border
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) United States border security is paramount
9 to the general welfare of our Nation and ensures the

1 efficient and meaningful flow of goods and individ-
2 uals through legal means.

3 (2) During 2023, an estimated 105,007 drug
4 overdose deaths occurred in the United States.

5 (3) Only 2 percent of passenger vehicles and 20
6 percent of commercial vehicles crossing the southern
7 border are scanned by nonintrusive inspection tech-
8 nology through a radiation portal monitor.

9 (4) During fiscal year 2023, U.S. Customs and
10 Border Protection agents processed more than
11 1,081,030 passengers and pedestrians.

12 (5) Limiting the amount of deadly illicit nar-
13 cotics, including fentanyl, from entering the United
14 States would reduce the number of Americans who
15 die annually from the use of such narcotics.

16 (6) Because of the failure to update nonintru-
17 sive inspection technologies at land ports of entry
18 along the southern border of the United States,
19 there has been an increase in the amount of illicit
20 narcotics, such as fentanyl, being trafficked across
21 the southern border.

22 (7) The amount of illicit drugs seized by U.S.
23 Customs and Border Protection along the southwest
24 border was approximately—

1 (A) 241,000 pounds during fiscal year
2 2023; and

3 (B) 275,000 pounds during fiscal year
4 2024.

5 (8) U.S. Customs and Border Protection agents
6 had 2,135,005 encounters along the southern border
7 during fiscal year 2024, including—

8 (A) 1,218,880 single adults;

9 (B) 804,456 family units; and

10 (C) 109,998 unaccompanied minors.

11 (9) According to the Department of Homeland
12 Security, 750 migrants died attempting to cross the
13 southern border during fiscal year 2022, which is—

14 (A) more migrant deaths than occurred in
15 any previous fiscal year; and

16 (B) more than 200 more migrant deaths
17 than the number of such deaths during fiscal
18 year 2021.

19 (10) As of September 30, 2024, the immigra-
20 tion court backlog was 3,558,995 cases.

21 (11) Since the end of fiscal year 2019, U.S.
22 Customs and Border Protection has reported 2,371
23 encounters with potential terrorists at ports of entry
24 along the southern and northern borders.

1 (12) According to U.S. Customs and Border
2 Protection onboard staffing data, approximately
3 2,700 additional U.S. Customs and Border Protec-
4 tion officers need to be stationed at United States
5 ports of entry to fully staff such ports.

6 (13) Due to shifting priorities, construction
7 delays, a lack of available technology solutions, and
8 funding constraints, most southern U.S. Border Pa-
9 trol sectors still rely on obsolete systems or tech-
10 nologies.

11 **SEC. 3. FUNDING FOR NONINTRUSIVE BORDER INSPEC-**
12 **TIONS.**

13 One-third of the unobligated balances (as of the date
14 of the enactment of this Act) from amounts made avail-
15 able under section 10301(1)(A)(ii) of Public Law 117–169
16 shall be transferred to U.S. Customs and Border Protec-
17 tion during the period beginning on the date of the enact-
18 ment of this Act and ending on February 6, 2034, for
19 nonintrusive inspection systems to achieve a 100 percent
20 nonintrusive inspection scanning rate at all northern bor-
21 der and southwest border land ports of entry by February
22 6, 2034.

23 **SEC. 4. FUNDING FOR BORDER WALL CONSTRUCTION.**

24 (a) IN GENERAL.—Two-thirds of the unobligated bal-
25 ances (as of the date of the enactment of this Act) from

1 amounts made available under section 10301(1)(A)(ii) of
2 Public Law 117–169 shall be transferred to the Depart-
3 ment of Homeland Security during the period beginning
4 on the date of the enactment of this Act and ending on
5 February 6, 2034, for activities related to the construction
6 of a border wall system along the southwest international
7 border of the United States.

8 (b) QUARTERLY REPORTS.—The Secretary of Home-
9 land Security shall submit quarterly reports to the Com-
10 mittee on Appropriations of the Senate, the Committee on
11 Finance of the Senate, the Committee on Homeland Secu-
12 rity and Governmental Affairs of the Senate, the Com-
13 mittee on Appropriations of the House of Representatives,
14 the Committee on Ways and Means of the House of Rep-
15 resentatives, and the Committee on Homeland Security of
16 the House of Representatives that contains—

17 (1) an implementation plan with benchmarks
18 related to stemming illegal immigration; and

19 (2) cost estimates associated with border wall
20 system construction.

21 **SEC. 5. AUTHORIZATION TO PROVIDE BONUSES TO U.S.**
22 **CUSTOMS AND BORDER PROTECTION**
23 **AGENTS.**

24 (a) RECRUITMENT BONUSES.—

1 (1) IN GENERAL.—Subject to the approval of
2 the Secretary of Homeland Security, the Commis-
3 sioner of U.S. Customs and Border Protection may
4 pay a recruitment bonus, not to exceed \$15,000, to
5 each newly hired U.S. Customs and Border Protec-
6 tion agent after—

7 (A) the agent completes initial basic train-
8 ing; and

9 (B) the execution of a written agreement
10 described in paragraph (2).

11 (2) WRITTEN AGREEMENT.—A written agree-
12 ment described in this paragraph is a legally binding
13 agreement between a newly hired agent and U.S.
14 Customs and Border Protection that—

15 (A) specifies the amount of the bonus pay-
16 ment to be paid to such agent, including the
17 timing of such payment;

18 (B) the length of the period of service re-
19 quired to be completed before such agent is en-
20 titled to retain such payment; and

21 (C) any other terms and conditions to
22 which such payment is subject.

23 (b) RETENTION BONUSES.—Subject to the approval
24 of the Secretary of Homeland Security, the Commissioner
25 of U.S. Customs and Border Protection may pay annual

1 retention bonuses, not to exceed 15 percent of the agent's
2 basic pay, to U.S. Border Patrol agents after the comple-
3 tion of each year of satisfactory service, as determined by
4 the Commissioner.

5 (c) RELOCATION BONUS.—Subject to the approval of
6 the Secretary of Homeland Security, the Commissioner of
7 U.S. Customs and Border Protection may pay a relocation
8 bonus, not to exceed 15 percent of the agent's annual
9 basic pay, to a U.S. Customs and Border Protection agent
10 who agrees to be transferred and to serve for not less than
11 3 years at the new duty station.

12 (d) LIMITATION.—None of the bonuses paid to a U.S.
13 Customs and Border Protection agent pursuant to sub-
14 sections (a) through (c) may be considered part of the
15 basic pay of such agent for any purpose, including for re-
16 tirement or in computing a lump-sum payment to the
17 agent for accumulated and accrued annual leave under
18 section 5551 or 5552 of title 5, United States Code.

19 **SEC. 6. TREATMENT OF ALIENS ARRIVING FROM CONTIG-**
20 **UOUS TERRITORY.**

21 Section 235(b)(2)(C) of the Immigration and Nation-
22 ality Act (8 U.S.C. 1225(b)(2)(C)) is amended by striking
23 “may return” and all that follows and inserting the fol-
24 lowing: “shall—

1 “(i) return the alien to such territory,
2 or to a safe third country (as described in
3 section 208), pending the completion of a
4 proceeding under section 240; or

5 “(ii) detain the alien for further con-
6 sideration of an application for asylum,
7 which shall include a determination of
8 credible fear of persecution.”.