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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require assessments for Foreign Terrorist Organization designations, authorize certain appropriations for certain fiscal years for Operation Stonegarden, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. TONY GONZALES of Texas introduced the following bill; which was referred to the Committee on _____

A BILL

To require assessments for Foreign Terrorist Organization designations, authorize certain appropriations for certain fiscal years for Operation Stonegarden, 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 “Security First Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

1 (1) Since FY2021, there were more than 8.72
2 million encounters at the Southwest border.

3 (2) Since FY2021, there have been roughly 2
4 million known “gotaways” that have evaded United
5 States Border Patrol.

6 (3) Since FY2021, there were 395 encounters
7 in between our borders with individuals on the Ter-
8 rorist Screening Dataset, also known as the terrorist
9 watchlist.

10 (4) Since FY2021, 9,254 pounds of fentanyl
11 have been seized between ports of entry nationwide.

12 (5) In 2023, there were 105,007 opioid deaths,
13 with 72,776 deaths involving synthetic opioids like
14 fentanyl.

15 (6) Mexican cartels and transnational criminal
16 organizations have been linked to committing severe
17 crimes including homicides, rape, sexual assault, and
18 kidnappings, and significantly influence drug traf-
19 ficking and human trafficking across the Southwest
20 border, organizing and profiting off these illicit oper-
21 ations.

22 (7) In 2024, U.S. Border Patrol sent out mul-
23 tiple alerts to personnel warning of Mexican cartel
24 members being permitted to shoot at Border Patrol

1 Agents and engage in retaliatory shootings, a direct
2 threat to homeland security.

3 (8) In 2024, Homeland Security Investigations
4 (HSI) sent out an alert to personnel that Ven-
5 zuelan gang Tren de Aragua had been given the
6 “green light” to fire on or attack law enforcement
7 in Colorado, a direct threat to homeland security.

8 (9) State and local law enforcement continue to
9 assume a larger and critical role aiding federal law
10 enforcement in border security operations with lim-
11 ited, finite resources.

12 (10) Federal, state, and local law enforcement
13 need the resources necessary to secure U.S. borders
14 and protect the homeland.

15 **SEC. 3. OPERATION STONEGARDEN APPROPRIATIONS AND**
16 **TRUST FUND.**

17 (a) CERTAIN APPROPRIATIONS.—There is authorized
18 to be appropriated for each of fiscal years 2025 through
19 2028 \$110,000,000 for the Operation Stonegarden grant
20 program, and not less than \$36,666,666 for each of fiscal
21 years 2025 through 2028 to procure technology and equip-
22 ment, including communications equipment, sensors, and
23 drone technology.

24 (b) OPERATION STONEGARDEN TRUST FUND.—

1 (1) CREATION OF TRUST FUND.—There is es-
2 tablished in the Treasury of the United States a
3 trust fund to be known as the “Operation
4 Stonegarden Trust Fund” (referred to in this sec-
5 tion as the “Trust Fund”), consisting of amounts
6 transferred to the Trust Fund under paragraph (2).

7 (2) TRANSFERS TO TRUST FUND.—The Sec-
8 retary of the Treasury shall transfer to the Trust
9 Fund, from the general fund of the Treasury, for
10 fiscal year 2025 and each fiscal year thereafter until
11 2028, an amount equivalent to the amount received
12 into the general fund during that fiscal year attrib-
13 utable to unreported monetary instruments seized by
14 U.S. Customs and Border Protection from individ-
15 uals crossing the United States and Mexico border.

16 (3) USE OF TRUST FUND.—Amounts in the
17 Trust Fund shall be made available to the Secretary
18 of Homeland Security, without further appropria-
19 tion, to fund the Operation Stonegarden grant pro-
20 gram.

21 (4) LIMITATION.—The Secretary may only ex-
22 pend funds made available from the Trust Fund to
23 carry out the activity described in paragraph (3).

24 (5) MONETARY INSTRUMENT.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), a monetary instrument
3 means—

4 (i) coin or currency of the United
5 States or of any other country;

6 (ii) traveler’s checks in any form;

7 (iii) negotiable instruments, including
8 checks, promissory notes, and money or-
9 ders in bearer form, endorsed without re-
10 striction, made out to a fictitious payee, or
11 otherwise in such form that title thereto
12 passes upon delivery;

13 (iv) incomplete instruments, including
14 checks, promissory notes, and money or-
15 ders that are signed but on which the
16 name of the payee has been omitted; and

17 (v) securities or stock in bearer form
18 or otherwise in such form that title thereto
19 passes upon delivery.

20 (B) EXCEPTION.—A monetary instrument
21 referred to in subparagraph (A) does not in-
22 clude—

23 (i) checks or money orders made pay-
24 able to the order of a named person which

1 have not been endorsed or which bear re-
2 strictive endorsements;

3 (ii) warehouse receipts; or

4 (iii) bills of lading.

5 **SEC. 4. FOREIGN TERRORIST ORGANIZATION DESIGNA-**
6 **TIONS.**

7 (a) REPORT.—

8 (1) IN GENERAL.—Not later than 60 days after
9 the date of the enactment of this Act, the Secretary
10 shall submit to the appropriate congressional com-
11 mittees a report on whether Mexican drug cartels
12 and criminal gangs meet the criteria for designation
13 as foreign terrorist organizations.

14 (2) MEXICAN DRUG CARTELS DESCRIBED.—The
15 Mexican drug cartels and criminal gangs described
16 in this paragraph are each of the following:

17 (A) Jalisco New Generation Cartel.

18 (B) Sinaloa Cartel.

19 (C) Juarez Cartel.

20 (D) Tijuana Cartel.

21 (E) Gulf Cartel.

22 (F) Los Zetas.

23 (3) CRIMINAL GANGS DESCRIBED.—The crimi-
24 nal gangs described in this paragraph refer to the
25 Tren De Aragua.

1 (b) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—The term “appropriate congressional com-
4 mittees” means—

5 (A) the Committee on Foreign Affairs and
6 the Committee on Homeland Security of the
7 House of Representatives; and

8 (B) the Committee on Foreign Relations
9 and the Committee on Homeland Security and
10 Governmental Affairs of the Senate.

11 (2) FOREIGN TERRORIST ORGANIZATION.—The
12 term “foreign terrorist organization” has the mean-
13 ing given the term in section 219 of the Immigration
14 and Nationality Act (8 U.S.C. 1189).

15 (3) SECRETARY.—The term “Secretary” means
16 the Secretary of State.

17 **SEC. 5. SOUTHERN BORDER TECHNOLOGY NEEDS ANAL-**
18 **YSIS AND UPDATES.**

19 (a) TECHNOLOGY NEEDS ANALYSIS.—Not later than
20 1 year after the date of the enactment of this Act, the
21 Secretary shall submit, to the appropriate congressional
22 committees, a technology needs analysis for border secu-
23 rity technology along the Southwest border.

24 (b) CONTENTS.—The analysis required under sub-
25 section (a) shall include an assessment of—

1 (1) the technology needs and gaps along the
2 Southwest border—

3 (A) to prevent terrorists and instruments
4 of terror from entering the United States;

5 (B) to combat and reduce cross-border
6 criminal activity, including, but not limited to—

7 (i) the transport of illegal goods, such
8 as illicit drugs; and

9 (ii) human smuggling and human
10 trafficking; and

11 (C) to facilitate the flow of legal trade
12 across the Southwest border;

13 (2) recent technological advancements in—

14 (A) manned aircraft sensor, communica-
15 tion, and common operating picture technology;

16 (B) unmanned aerial systems and related
17 technology, including counter-unmanned aerial
18 system technology;

19 (C) surveillance technology, including—

20 (i) mobile surveillance vehicles;

21 (ii) associated electronics, including
22 cameras, sensor technology, and radar;

23 (iii) tower-based surveillance tech-
24 nology;

1 (iv) advanced unattended surveillance
2 sensors; and

3 (v) deployable, lighter-than-air,
4 ground surveillance equipment;

5 (D) nonintrusive inspection technology, in-
6 cluding non-X-ray devices utilizing muon to-
7 mography and other advanced detection tech-
8 nology;

9 (E) tunnel detection technology; and

10 (F) communications equipment, includ-
11 ing—

12 (i) radios;

13 (ii) long-term evolution broadband;

14 and

15 (iii) miniature satellites;

16 (3) any other technological advancements that
17 the Secretary determines to be critical to the De-
18 partment's mission along the Southwest border;

19 (4) whether the use of the technological ad-
20 vances described in paragraphs (2) and (3) will—

21 (A) improve border security;

22 (B) improve the capability of the Depart-
23 ment to accomplish its mission along the South-
24 west border;

1 (C) reduce technology gaps along the
2 Southwest border; and

3 (D) enhance the safety of any officer or
4 agent of the Department or any other Federal
5 agency;

6 (5) the Department's ongoing border security
7 technology development efforts, including efforts
8 by—

9 (A) U.S. Customs and Border Protection;

10 (B) the Science and Technology Direc-
11 torate; and

12 (C) the technology assessment office of any
13 other operational component;

14 (6) the technology needs for improving border
15 security, such as—

16 (A) information technology or other com-
17 puter or computing systems data capture;

18 (B) biometrics;

19 (C) cloud storage; and

20 (D) intelligence data sharing capabilities
21 among agencies within the Department;

22 (7) any other technological needs or factors, in-
23 cluding border security infrastructure, such as phys-
24 ical barriers or dual-purpose infrastructure, that the
25 Secretary determines should be considered; and

1 (8) currently deployed technology or new tech-
2 nology that would improve the Department's abil-
3 ity—

4 (A) to reasonably achieve operational con-
5 trol and situational awareness along the South-
6 west border; and

7 (B) to collect metrics for securing the bor-
8 der at and between ports of entry, as required
9 under subsections (b) and (c) of section 1092 of
10 division A of the National Defense Authoriza-
11 tion Act for Fiscal Year 2017 (6 U.S.C. 223).

12 (c) UPDATES.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the submission of the analysis required under sub-
15 section (a), and biannually thereafter for the fol-
16 lowing 4 years, the Secretary shall submit an update
17 to such analysis to the appropriate congressional
18 committees.

19 (2) CONTENTS.—Each update required under
20 paragraph (1) shall include a plan for utilizing the
21 resources of the Department to meet the border se-
22 curity technology needs and gaps identified pursuant
23 to subsection (b), including developing or acquiring
24 technologies not currently in use by the Department

1 that would allow the Department to bridge existing
2 border technology gaps along the Southwest border.

3 (d) ITEMS TO BE CONSIDERED.—In compiling the
4 technology needs analysis and updates required under this
5 section, the Secretary shall consider and examine—

6 (1) technology that is deployed and is sufficient
7 for the Department’s use along the Southwest bor-
8 der;

9 (2) technology that is deployed, but is insuffi-
10 cient for the Department’s use along the Southwest
11 border;

12 (3) technology that is not deployed, but is nec-
13 essary for the Department’s use along the Southwest
14 border;

15 (4) current formal departmental requirements
16 documentation examining current border security
17 threats and challenges faced by any component of
18 the Department;

19 (5) trends and forecasts regarding migration
20 across the Southwest border;

21 (6) the impact on projected staffing and deploy-
22 ment needs for the Department, including staffing
23 needs that may be fulfilled through the use of tech-
24 nology;

1 (7) the needs and challenges faced by employees
2 of the Department who are deployed along the
3 Southwest border;

4 (8) the need to improve cooperation among
5 Federal, State, Tribal, local, and Mexican law en-
6 forcement entities to enhance security along the
7 Southwest border;

8 (9) the privacy implications of existing tech-
9 nology and the acquisition and deployment of new
10 technologies and supporting infrastructure, with an
11 emphasis on how privacy risks might be mitigated
12 through the use of technology, training, and policy;

13 (10) the impact of any ongoing public health
14 emergency that impacts Department operations
15 along the Southwest border; and

16 (11) the ability of, and the needs for, the De-
17 partment to assist with search and rescue efforts for
18 individuals or groups that may be in physical danger
19 or in need of medical assistance.

20 (e) FORM.—To the extent possible, the Secretary
21 shall submit the technology needs analysis and updates re-
22 quired under this section in unclassified form, but may
23 submit such documents, or portions of such documents,
24 in classified form if the Secretary determines that such
25 action is appropriate.

1 (f) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—The term “appropriate congressional com-
4 mittees” means—

5 (A) the Committee on Homeland Security
6 and Governmental Affairs of the Senate; and

7 (B) the Committee on Homeland Security
8 of the House of Representatives.

9 (2) DEPARTMENT.—The term “Department”
10 means the Department of Homeland Security.

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of Homeland Security.

13 (4) SOUTHWEST BORDER.—The term “South-
14 west border” means the international land border
15 between the United States and Mexico, including the
16 ports of entry along such border.

17 **SEC. 6. REPORT RELATING TO HIRING PRACTICES OF THE**
18 **DEPARTMENT FROM 2018 TO 2024.**

19 Not later than 120 days after the date of enactment
20 of this Act, the Secretary shall submit to the appropriate
21 congressional committees a report relating the hiring prac-
22 tices of the Department that includes—

23 (1) information relating to the recruitment
24 practices of the Department from 2018 to 2024; and

1 (2) recommendations with respect to improving
2 the operational capacity of the Department work-
3 force.