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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To authorize the Land Port of Entry Community Infrastructure Program to address deficiencies in community infrastructure supportive of land ports of entry, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

\_\_\_\_\_  
**A BILL**

To authorize the Land Port of Entry Community Infrastructure Program to address deficiencies in community infrastructure supportive of land ports of entry, 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. DEFINITIONS.**

4       In this Act:

5               (1) COMMUNITY INFRASTRUCTURE.—The term  
6       “community infrastructure” means a project or fa-  
7       cility that—

1 (A) is—

2 (i) a transportation project;

3 (ii) a water, wastewater, telecommuni-  
4 cations, electric, gas, or other utility  
5 project; or

6 (iii) any other project directly sup-  
7 porting a land port of entry or infrastruc-  
8 ture that is disproportionately impacted by  
9 the nearby presence of a land port of  
10 entry, as designated by the Secretary;

11 (B) is—

12 (i) owned by a State, Tribal, or local  
13 government; or

14 (ii) a not-for-profit, member-owned  
15 utility service; and

16 (C) is—

17 (i) focused on the modernization of a  
18 land port of entry; or

19 (ii) located within 25 miles of a land  
20 port of entry and is supportive of, or dis-  
21 proportionately impacted by the nearby  
22 presence of, a land port of entry.

23 (2) RURAL AREA.—The term “rural area”  
24 means a city, town, or unincorporated area that has  
25 a population of not more than 100,000 inhabitants.

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

3 **SEC. 2. LAND PORT OF ENTRY COMMUNITY INFRASTRUC-**  
4 **TURE PROGRAM.**

5 (a) FUNDING AUTHORIZED.—The Secretary may  
6 award grants and supplement funds available under exist-  
7 ing Federal programs administered by agencies other than  
8 the Department of Homeland Security to assist State,  
9 Tribal, and local governments and not-for-profit, member-  
10 owned utility services to address deficiencies in community  
11 infrastructure supportive of a land port of entry.

12 (b) ELIGIBILITY CRITERIA; PROJECT CATEGORIES.—  
13 The Secretary shall establish criteria for determining  
14 which community infrastructure projects are eligible for  
15 assistance under this section in the following categories:

16 (1) Projects designed to improve the safety, ef-  
17 ficiency, and reliability of legitimate trade and travel  
18 across the international borders of the United  
19 States, such as local transportation or water infra-  
20 structure projects to support the modernization or  
21 construction of a port of entry.

22 (2) Projects designed to enhance border secu-  
23 rity, as measured by their predicted impact on illicit  
24 drug seizure rates and other relevant metrics for se-  
25 curing the border at ports of entry established pur-

1        suant to section 1092(c) of the National Defense  
2        Authorization Act for Fiscal Year 2017 (6 U.S.C.  
3        223(c)).

4            (3) Projects designed to enhance resilience of  
5        land ports of entry and supportive infrastructure, in-  
6        cluding projects that bolster the emergency pre-  
7        paredness of such ports and infrastructure.

8            (4) Projects designed to enhance U.S. Customs  
9        and Border Protection personnel family quality of  
10       life, as determined in accordance with subsection  
11       (c)(3).

12           (5) Projects designed to address the direct im-  
13       pacts that land ports of entry may have on sur-  
14       rounding communities, such as projects related to  
15       transportation infrastructure, traffic congestion,  
16       waste and wastewater infrastructure, pollution, and  
17       environmental degradation.

18        (c) ADDITIONAL CONSIDERATIONS.—In selecting  
19       community infrastructure projects to receive financial as-  
20       sistance under this section, the Secretary shall consider—

21            (1) infrastructure improvements identified in  
22       the U.S. Customs and Border Protection’s 2024 re-  
23       port entitled, “Land Port of Entry Modernization:  
24       Promoting Security, Travel, and Trade”;

1           (2) infrastructure improvements identified in  
2       State capital investment plans that directly support  
3       a land port of entry; and

4           (3) for the purposes of determining whether a  
5       proposed community infrastructure project will en-  
6       hance family quality of life—

7           (A) the impact of such project on alle-  
8       viating port of entry commuter workforce  
9       issues; and

10          (B) the benefit of local infrastructure  
11       funded by such project that will support U.S.  
12       Customs and Border Protection personnel and  
13       their dependents while residing in the commu-  
14       nity in which such infrastructure will be con-  
15       structed.

16       (d) STANDARDIZATION OF PROCESSES FOR DETER-  
17   MINING PROJECT ELIGIBILITY AND SELECTION.—In ac-  
18   cordance with the eligibility criteria described in sub-  
19   section (b) and the selection considerations described in  
20   subsection (c), the Secretary shall develop and implement  
21   guidance to standardize the process of identifying, vali-  
22   dating, and prioritizing community infrastructure  
23   projects.

24       (e) INTERAGENCY CONSULTATION.—In assessing the  
25   merits and viability of community infrastructure projects

1 seeking financial assistance under this section, the Sec-  
2 retary, to the extent possible, shall consult with appro-  
3 priate officials in the Department of Transportation, the  
4 Department of Commerce, the Department of Housing  
5 and Urban Development, the Department of Energy, the  
6 Department of Agriculture, the Environmental Protection  
7 Agency, and other Federal agencies with relevant exper-  
8 tise.

9 (f) MATCHING REQUIREMENT.—

10 (1) IN GENERAL.—Except as provided in para-  
11 graph (2), a community infrastructure project may  
12 not receive financial assistance under this section  
13 unless the recipient of such assistance agrees to con-  
14 tribute not less than 30 percent of the total funding  
15 for such project from non-Federal sources.

16 (2) EXCEPTIONS.—If a proposed community in-  
17 frastructure project will be carried out in a rural  
18 area or if the Secretary determines such project is  
19 advantageous for reasons related to homeland secu-  
20 rity, the Secretary—

21 (A) shall not penalize a State or local gov-  
22 ernment for offering to make a non-Federal  
23 contribution equal to less than 30 percent of  
24 the total funding for such project;

1 (B) may reduce the matching requirement  
2 for a State or local government to an amount  
3 that is less than 30 percent of the cost of such  
4 project; or

5 (C) may waive the matching requirement  
6 entirely.

7 (g) REIMBURSEMENT.—If a State, Tribal, or local  
8 government or a not-for-profit, member-owned utility serv-  
9 ice expends its own funds, on or after November 15, 2021,  
10 and, within a reasonable amount of time, seeks reimburse-  
11 ment for a community infrastructure project that meets  
12 the eligibility criteria described in subsection (b) and the  
13 selection considerations described in subsection (c), the  
14 Secretary may reimburse such entity for up to 70 percent  
15 of the costs incurred for such project unless such project  
16 qualifies for an adjusted matching requirement authorized  
17 under subsection (f)(2).

18 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—There are authorized to be appro-  
20 priated to the Department of Homeland Security such  
21 sums as may be necessary for each fiscal year to carry  
22 out the Land Port of Entry Community Infrastructure  
23 Program authorized under section 2.

24 (b) LIMITATION.—The authority of the Secretary to  
25 award grants or other funding under section 2 in any fis-

1 cal year is subject to the availability of appropriations for  
2 such purpose in such fiscal year.

3 (c) AVAILABILITY OF FUNDS.—Amounts appro-  
4 priated or otherwise made available to carry out section  
5 2 may remain available until expended.