

117TH CONGRESS
2D SESSION

H. R. 8640

To require the Commissioner of U.S. Customs and Border Protection to establish procedures for conducting maintenance and repair projects at ports of entry at which the Office of Field Operations conducts certain enforcement activities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2022

Mr. TONY GONZALES of Texas (for himself and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Ways and Means, 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 require the Commissioner of U.S. Customs and Border Protection to establish procedures for conducting maintenance and repair projects at ports of entry at which the Office of Field Operations conducts certain enforcement activities, 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. PORT MAINTENANCE.**

4 (a) IN GENERAL.—Section 411(o) of the Homeland
5 Security Act of 2002 (6 U.S.C. 211(o)) is amended—

1 (1) by redesignating paragraph (3) as para-
2 graph (4); and

3 (2) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) PORT MAINTENANCE.—

6 “(A) PROCEDURES.—

7 “(i) IN GENERAL.—Subject to sub-
8 paragraphs (B) and (C), the Commis-
9 sioner, in consultation with the Adminis-
10 trator of General Services shall establish,
11 and may update as appropriate, procedures
12 described in clause (ii) pursuant to which
13 U.S. Customs and Border Protection is au-
14 thorized to conduct maintenance and re-
15 pair projects costing not more than
16 \$300,000 at any Federal Government-
17 owned port of entry at which the Office of
18 Field Operations performs any of the ac-
19 tivities described in subparagraphs (A)
20 through (G) of subsection (g)(3).

21 “(ii) PROCEDURES DESCRIBED.—The
22 procedures described in this clause in-
23 clude—

24 “(I) a description of the types of
25 maintenance and repair projects that

1 may be carried out pursuant to clause
2 (i); and

3 “(II) the procedures for identi-
4 fying and addressing any impacts on
5 other tenants of facilities at which
6 such projects are carried out.

7 “(iii) PUBLICATION OF PROCE-
8 DURES.—The procedures established or
9 updated, as the case may be, pursuant to
10 clause (i) shall be published in the Federal
11 Register.

12 “(B) LIMITATION.—The authority under
13 subparagraph (A) shall only be available for
14 maintenance or repair projects involving exist-
15 ing infrastructure, property, and capital at any
16 port of entry described in such subparagraph.

17 “(C) ANNUAL ADJUSTMENTS.—The Com-
18 missioner shall annually adjust the dollar
19 amount specified in subparagraph (A) by the
20 percentage (if any) by which the Consumer
21 Price Index for All Urban Consumers for the
22 month of June preceding the date on which
23 such adjustment takes effect exceeds the Con-
24 sumer Price Index for All Urban Consumers for
25 the same month of the preceding calendar year.

1 “(D) RULE OF CONSTRUCTION.—Nothing
2 in this paragraph may be construed to affect
3 the availability of funding from—

4 “(i) the Federal Buildings Fund es-
5 tablished under section 592 of title 40,
6 United States Code;

7 “(ii) the port of entry donation au-
8 thority under section 482; or

9 “(iii) any other statutory authority or
10 appropriation for maintenance or repair
11 projects described in subparagraph (A).”.

12 (b) REPORTING.—Not later than one year after the
13 date of the enactment of this Act and annually thereafter,
14 the Commissioner of U.S. Customs and Border Protection
15 shall submit to the Committee on Homeland Security and
16 Governmental Affairs of the Senate, the Committee on Ap-
17 propriations of the Senate, the Committee on Homeland
18 Security of the House of Representatives, and the Com-
19 mittee on Appropriations of the House of Representatives
20 a report that includes the following:

21 (1) A summary of all maintenance and repair
22 projects conducted pursuant to paragraph (3) of sec-
23 tion 411(o) of the Homeland Security Act of 2002,
24 as inserted by subsection (a), during the prior fiscal
25 year.

1 (2) The cost of each such project.

2 (3) The account that funded each such project,
3 if applicable.

4 (4) Any budgetary transfers, if applicable, that
5 funded each such project.

6 (c) TECHNICAL AMENDMENT.—Section 422(a) of the
7 Homeland Security Act of 2002 (6 U.S.C. 232(a)) is
8 amended by inserting “such section” after “Administrator
9 under”.

○