

117TH CONGRESS
1ST SESSION

H. R. 416

To allow the Secretary of the Treasury to accept public donations to fund the construction of a barrier on the border between the United States and Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. POSEY 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 allow the Secretary of the Treasury to accept public donations to fund the construction of a barrier on the border between the United States and Mexico, 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 “Border Wall Trust
5 Fund Act”.

1 **SEC. 2. BORDER WALL TRUST FUND.**

2 (a) BORDER WALL TRUST FUND.—At the end of
3 subchapter III of chapter 33 of title 31, United States
4 Code, insert the following:

5 **“§ 3344. Border Wall Trust Fund.**

6 “(a) IN GENERAL.—

7 “(1) RECEIVE GIFTS.—Notwithstanding section
8 3113 of title 31, the Secretary of the Treasury may
9 accept for the Government a gift of money on the
10 condition that it be used to plan, design, construct,
11 or maintain a barrier along the international border
12 between the United States and Mexico.

13 “(2) TRUST FUND.—Not later than 60 days
14 after the date of enactment of this section, the Sec-
15 retary of the Treasury shall—

16 “(A) establish an account, to be known as
17 the ‘Border Wall Trust Fund’, into which
18 money received as gifts under this section shall
19 be deposited; and

20 “(B) create a publicly accessible website to
21 receive such gifts.

22 “(3) APPROPRIATION.—Money deposited in the
23 Border Wall Trust Fund is appropriated to the Sec-
24 retary of Homeland Security and may be expended
25 to plan, design, construct, or maintain a barrier
26 along the international border between the United

1 States and Mexico. Such funds may not be used for
2 any other purpose.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for such chapter is amended by inserting at the end the
5 following:

“3344. Border Wall Trust Fund.”.

6 **SEC. 3. COMMEMORATIVE DISPLAY.**

7 (a) CONSTRUCTION.—The Secretary of Homeland
8 Security shall, at a time determined by the Secretary and
9 in a manner consistent with the security mission of the
10 border barrier, provide for a commemorative display as an
11 integrated part of the barrier under section 3344 of title
12 31, United States Code, as added by section 2, recognizing
13 individuals who contributed to the Border Wall Trust
14 Fund.

15 (b) LENGTH.—The display described in subsection
16 (a) shall be one mile in length, unless the Secretary deter-
17 mines that length to be impracticable, in which case it
18 shall be as close to that length as the Secretary determines
19 practicable consistent with the security mission of such
20 barrier.

21 (c) DESIGNATION OF FUNDS.—The Secretary of the
22 Treasury shall provide a process by which a donor may
23 designate the donation of that donor to fund construction
24 of the commemorative display under this section.

1 (d) NOTIFICATION TO THE PUBLIC.—The Secretary
2 of the Treasury shall display on the website described in
3 section 3344(a)(2) of such title, as added by section 2,
4 the following:

5 (1) A total estimated cost for the commemora-
6 tive display.

7 (2) A notification that donations to the Border
8 Wall Trust Fund not designated under subsection
9 (c) will be used exclusively to plan, design, construct,
10 or maintain a barrier along the international border
11 between the United States and Mexico.

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