

117TH CONGRESS
1ST SESSION

H. R. 88

To amend section 524(c) of title 18, United States Code, to use lawfully forfeited drug seizures to increase border security.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. DUNCAN (for himself, Mr. NORMAN, Mr. BUDD, Mr. LAMALFA, Mr. GAETZ, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend section 524(c) of title 18, United States Code, to use lawfully forfeited drug seizures to increase border security.

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 “Build up Illegal Line
5 Defenses with Assets Lawfully Lifted Act of 2021”.

1 **SEC. 2. RESERVATION OF PORTION OF FORFEITS IN THE**
2 **DEPARTMENT OF JUSTICE CIVIL ASSET FOR-**
3 **FEITURE FUND FOR BUILDING A PHYSICAL**
4 **BARRIER OR ADVANCED TECHNOLOGY TO**
5 **PREVENT ILLEGAL ENTRY OVER OUR SOUTH-**
6 **ERN BORDER.**

7 Section 524(c) of title 28, United States Code, is
8 amended—

9 (1) in paragraph (1), by inserting “, except as
10 provided in paragraph (12),” before “be available to
11 the Attorney General”; and

12 (2) by adding at the end the following:

13 “(12)(A) Not later than on December 1 of each
14 year, the Attorney General shall report to Congress
15 the total of any funds in the Fund as of October 1
16 which are derived from Mexican cartels.

17 “(B) The Attorney General shall conduct an on-
18 going study with a view to deriving more funds than
19 have historically been the case for the Fund from
20 Mexican cartels. The Attorney General shall report
21 from time to time to Congress any suggestions found
22 through the study. The first such report shall be
23 transmitted not later than 180 days after the date
24 of the enactment of this paragraph.

25 “(C) An amount equal to 50 percent of the
26 total reported under subsection (a) shall be made

1 available without fiscal year limitation to install ad-
2 ditional physical barriers and roads (including the
3 removal of obstacles to detection of illegal entrants)
4 in the vicinity of the United States border to deter
5 illegal crossings in areas of high illegal entry into
6 the United States.”.

7 **SEC. 3. LIMITATION ON RELEASE OF PROPERTY.**

8 Section 983(f)(8) of title 18, United States Code, is
9 amended—

10 (1) by striking “or” at the end of subparagraph
11 (C);

12 (2) by striking the period at the end of sub-
13 paragraph (D) and inserting “; or”; and

14 (3) by adding at the end the following:

15 “(E) is currency or contraband likely to
16 belong to or used in support of a foreign, illegal
17 trafficking organization.”.

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