



(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To provide supplemental payments to Federal personnel performing immigration enforcement operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STEUBE introduced the following bill; which was referred to the Committee on _____

A BILL

To provide supplemental payments to Federal personnel performing immigration enforcement operations, 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 “Increased Compensa-
5 tion for Enforcement and Federal Retention for Officers
6 in Strategic Theaters Act” or the “ICE FROST Act”.

1 **SEC. 2. SUPPLEMENTAL PAYMENTS TO IMMIGRATION EN-**
2 **FORCEMENT PERSONNEL.**

3 (a) IN GENERAL.—Each covered employee shall be
4 paid a supplemental payment equal to 25 percent of the
5 employee’s annual rate of basic pay.

6 (b) HAZARDOUS DUTY SUPPLEMENTAL PAYMENT.—

7 (1) IN GENERAL.—Each covered employee serv-
8 ing in a hazardous duty area, as determined under
9 paragraph (2), shall be paid, in addition to any pay-
10 ment under subsection (a), a supplemental payment
11 equal to 15 percent of the employee’s annual rate of
12 basic pay.

13 (2) DESIGNATION.—

14 (A) IN GENERAL.—The following geo-
15 graphic areas shall be designated as hazardous
16 duty areas:

17 (i) Chicago-Naperville Consolidated
18 Metropolitan Statistical Area.

19 (ii) Detroit-Warren-Ann Arbor Con-
20 solidated Metropolitan Statistical Area.

21 (iii) Los Angeles-Long Beach Consoli-
22 dated Metropolitan Statistical Area.

23 (iv) Memphis-Forrest City Consoli-
24 dated Metropolitan Statistical Area.

1 (v) Minneapolis-St. Paul-Bloomington,
2 Minnesota, Consolidated Metropolitan Sta-
3 tistical Area.

4 (vi) New York-Newark Consolidated
5 Metropolitan Statistical Area.

6 (vii) San Jose-San Francisco-Oakland
7 Consolidated Metropolitan Statistical Area.

8 (viii) St. Louis-St. Charles-Farm-
9 ington Consolidated Metropolitan Statis-
10 tical Area.

11 (ix) Washington-Baltimore-Arlington
12 Consolidated Metropolitan Statistical Area.

13 (x) Any other statistical area deter-
14 mined by the Director of the Office of Per-
15 sonnel Management, in coordination with
16 the Secretary of Homeland Security and
17 the Attorney General, meets criteria for
18 elevated risk to covered employees under
19 subparagraph (B).

20 (B) OTHER AREAS.—An area may be des-
21 ignated under paragraph (2)(A)(x) if such area
22 presents an elevated risk to covered employees
23 based on 1 or more of the following factors:

24 (i) Violent crime levels.

1 (ii) Increased presence of
2 transnational criminal organizations.

3 (iii) Significant concentration of aliens
4 unlawfully present in the United States.

5 (iv) Documented incidents of assaults,
6 interference, or threats directed to covered
7 employees.

8 (v) Any other factor the Director, the
9 Secretary, or the Attorney General deter-
10 mines is an elevated risk to covered em-
11 ployees.

12 (3) REVIEW AND TERMINATION.—The Director,
13 in consultation with the Secretary and the Attorney
14 General, shall—

15 (A) review each designation under para-
16 graph (2) not less than annually; and

17 (B) terminate any designation under such
18 paragraph that no longer meets the criteria
19 under subparagraph (2)(B).

20 (c) APPLICATION.—The supplemental payments
21 under this section shall—

22 (1) with respect to any supplemental payment
23 under subsection (a), be paid as a lump-sum on the
24 first day of the first pay period beginning on or after

1 the date of the enactment of this Act and annually
2 thereafter;

3 (2) with respect to any supplemental payment
4 under subsection (b)(2)(A), be paid as a lump-sum
5 on the first day of the first pay period beginning on
6 or after the date of the enactment of this Act and
7 annually thereafter until the designation is termi-
8 nated under subsection (b)(3)(B);

9 (3) with respect to a supplemental payment for
10 any area designated after the date of the enactment
11 of this Act under subsection (b)(2)(B), be paid as a
12 lump-sum on the first day of the first pay period be-
13 ginning on or after the date of such designation and
14 annually thereafter until the designation is termi-
15 nated under subsection (b)(3)(B);

16 (4) be in addition to a covered employee's rate
17 of basic pay and any other allowance, differential,
18 bonus, award, or other similar cash payment; and

19 (5) with respect to the application of section
20 5307 of title 5, United States Code, not be counted
21 as part of the aggregate compensation of the covered
22 employee.

23 (d) DEFINITIONS.—In this section—

24 (1) the term “covered employee” means a law
25 enforcement officer performing immigration enforce-

1 ment operations (defined as the identification, ap-
2 prehension, arrest, detention, or removal of aliens
3 unlawfully present in the United States in violation
4 of the Immigration and Nationality Act (8 U.S.C.
5 1101 et seq.));

6 (2) the term “Director” means the Director of
7 the Office of Personnel Management;

8 (3) the term “law enforcement officer” has the
9 meaning given such term in section 5541(3) of title
10 5, United States Code;

11 (4) the term “Secretary” means the Secretary
12 of Homeland Security;

13 (5) the term “transnational criminal organiza-
14 tion” means a group of persons that includes 1 or
15 more foreign persons that engages in or facilitates
16 an ongoing pattern of serious criminal activity in-
17 volving the jurisdictions of at least 2 foreign states,
18 or 1 foreign state and the United States, and that
19 threatens the national security, foreign policy, or
20 economy of the United States; and

21 (6) the term “violent crime” has the meaning
22 given the term “crime of violence” in section 16 of
23 title 18, United States Code.

1 **SECTION 3. IMPOSITION OF SURCHARGE ON CERTAIN RE-**
2 **MITTANCE TRANSFERS.**

3 (a) IN GENERAL.—Section 4475(a) of the Internal
4 Revenue Code of 1986 is amended by striking “equal to
5 1 percent” and all that follows, and inserting the fol-
6 lowing: “equal to the sum of—

7 “(1) 1 percent of the amount of such transfer,
8 plus

9 “(2) the specified surcharge (if any) with re-
10 spect to such transfer.”.

11 (b) SPECIFIED SURCHARGE DEFINED.—Section
12 4475(e) of such Code is amended by adding at the end
13 the following new paragraph:

14 “(4) SPECIFIED SURCHARGE.—

15 “(A) IN GENERAL.—The term ‘specified
16 surcharge’ means, with respect to any remit-
17 tance transfer—

18 “(i) in the case of the designated re-
19 cipient of such transfer being located in a
20 specified foreign country, an amount equal
21 to \$199,

22 “(ii) in the case of the designated re-
23 cipient of such transfer being located in a
24 foreign country with respect to which the
25 visa overstay rate (as defined in section
26 217(e)(8)(C)(ii) of the Immigration and

1 Nationality Act) exceeds 2 percent, an
2 amount equal to \$99, and

3 “(iii) in the case of both clauses (i)
4 and (ii) applying, the sum of the amounts
5 described in such clauses.

6 “(B) SPECIFIED FOREIGN COUNTRY.—For
7 purposes of subparagraph (A), the term ‘speci-
8 fied foreign country’ means Afghanistan,
9 Burma, Chad, Republic of the Congo, Equa-
10 torial Guinea, Eritrea, Haiti, Iran, Libya, So-
11 malia, Sudan, or Yemen.”.

12 (c) CONFORMING AMENDMENT.—Section 4475(e)(1)
13 of such Code is amended by inserting “‘designated recipi-
14 ent’,” after “The terms”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to transfers made after the date
17 of the enactment of this Act.