AMENDMENT NO._______  Calendar No._______

Purpose: To require the completion of at least 700 miles of reinforced fencing along the southwest border by December 31, 2010.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

H. R. 2892

AMENDMENT NO. 1399

Made 1 Se-
Amdt. No. 1373

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Page(s)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. DeMINT

Viz:

1 At the appropriate place, insert the following:

2 SEC. _____. BORDER FENCE COMPLETION.

3 (a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

6 (1) in subparagraph (A), by adding at the end the following: “Fencing that does not effectively re-

8 strain pedestrian traffic (such as vehicle barriers

9 and virtual fencing) may not be used to meet the
700-mile fence requirement under this subparagraph.”;

(2) in subparagraph (B)—

(A) in clause (i), by striking “and” at the end;

(B) in clause (ii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iii) not later than December 31, 2010, complete the construction of all the reinforced fencing and the installation of the related equipment described in subparagraph (A).”; and

(3) in subparagraph (C), by adding at the end the following:

“(iii) FUNDING NOT CONTINGENT ON CONSULTATION.—Amounts appropriated to carry out this paragraph may not be impounded or otherwise withheld for failure to fully comply with the consultation requirement under clause (i).”.

(b) REPORT.—Not later than September 30, 2009, the Secretary of Homeland Security shall submit a report to Congress that describes—
(1) the progress made in completing the reinforced fencing required under section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by this Act; and

(2) the plans for completing such fencing before December 31, 2010.