

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2825
OFFERED BY MR. VELA OF TEXAS**

Add at the end of subtitle C of title II the following:

1 **SEC. 234. EXERCISE OF EMINENT DOMAIN IN MAJOR AC-**
2 **QUISITIONS.**

3 (a) IN GENERAL.—Subtitle D of title VIII of the
4 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
5 is further amended by adding at the end the following new
6 section:

7 **“SEC. 840A. EXERCISE OF EMINENT DOMAIN IN MAJOR AC-**
8 **QUISITIONS.**

9 “Notwithstanding any other provision of law, not
10 later than 30 days before exercising eminent domain pur-
11 suant to a major acquisition program (as such term is de-
12 fined in section 830), the Secretary shall transmit to the
13 Committee on Homeland Security of the House of Rep-
14 resentatives and the Committee on Homeland Security
15 and Governmental Affairs of the Senate the following:

16 “(1) A certification that the exercise of eminent
17 domain is necessary to homeland security.

18 “(2) A certification, including supplementary
19 information, that all other options have been evalu-

1 ated and that the security benefits that would be re-
2 alized by the Department by acquiring the property
3 at issue cannot be achieved through other means
4 and, as such, justify such exercise.

5 “(3) Validation by the Comptroller General of
6 the United States of the certifications described in
7 paragraphs (1) and (2).”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 in section 1(b) of the Homeland Security Act 2002 is fur-
10 ther amended by inserting after the item relating to sec-
11 tion 840 the following new item:

“Sec. 840A. Exercise of eminent domain in major acquisitions.”.

