

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3548
OFFERED BY MR. VELA OF TEXAS**

Page 4, strike lines 10 through 16 and insert the following:

1 “(a) IN GENERAL.—

2 “(1) ACTIONS.—Subject to the condition speci-
3 fied in paragraph (2), the Secretary of Homeland
4 Security shall take such actions as may be necessary
5 (including the removal of obstacles to detection of il-
6 legal entrants) to construct, install, deploy, operate,
7 and maintain tactical infrastructure and technology
8 in the vicinity of the United States border to detect,
9 impede, and detect illegal activity in high traffic
10 areas.

11 “(2) PROHIBITION.—Notwithstanding any other
12 provision of law, the Secretary of Homeland Security
13 may not exercise any authority under paragraph (1)
14 until such time as the Secretary of Homeland Secu-
15 rity submits to Congress the following with respect
16 to the proposed exercise of eminent domain with re-
17 spect to any property:

1 “(A) Certification provided not later than
2 30 days before the proposed exercise of such
3 eminent domain that—

4 “(i) the exercise of such eminent do-
5 main is necessary for homeland security;
6 and

7 “(ii) all options other than the exer-
8 cise of eminent domain have been evalu-
9 ated and that the security benefits that
10 would be realized by the Department in ac-
11 quiring the property cannot be achieved
12 through other means.

13 “(B) Supplementary information justifying
14 the certifications under clauses (i) and (ii) of
15 subparagraph (A).

16 “(C) The certification of the Comptroller
17 General of the United States that the certifi-
18 cation under subparagraph (A) and the supple-
19 mentary information under subparagraph (B)
20 are valid.”.

