

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2794
OFFERED BY MR. CARTER OF LOUISIANA**

Amend section 4 to read as follows:

1 SEC. 4. RANCHERS AND OTHER BORDER LAND OWNERS.

2 (a) ACTIONS.—Subject to subsection (b), the Sec-
3 retary shall take such actions as may be necessary (includ-
4 ing the removal of obstacles to detection of unlawful en-
5 trants) to construct, install, deploy, operate, and maintain
6 tactical infrastructure and technology in the vicinity of the
7 United States border to impede and detect unlawful activ-
8 ity in high traffic areas.

9 (b) PROHIBITION.—Notwithstanding any other provi-
10 sion of law, the Secretary may not exercise any authority
11 under subsection (a) until such time as the Secretary sub-
12 mits to Congress the following with respect to the pro-
13 posed exercise of eminent domain with respect to any
14 property subject to the exercise of such authority under
15 such subsection:

16 (1) A certification, provided not later than 30
17 days before the proposed exercise of such eminent
18 domain, that—

1 (A) the exercise of such eminent domain is
2 necessary for homeland security; and

3 (B) all options other than such exercise of
4 eminent domain have been evaluated and that
5 the security benefits that would be realized by
6 the Department in acquiring such property can-
7 not be achieved through other means.

8 (2) Supplementary information justifying the
9 matters described in subparagraphs (A) and (B) of
10 paragraph (1).

