

S.L.C.
Jim DeMint

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the completion of the 700-mile southwest border fence not later than 1 year after the date of the enactment of this Act.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

S. 3217

AMENDMENT NO 3852

To p	By <u>DeMint</u>	s by
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e	To: _____	the
-	<u>S. 3217</u>	con-
s	<u>3</u>	and
i	Page(s)	

GPO: 2008 45-608 (page)

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. DEMINT **and Mr. Vitter**

Viz:

- 1 At the appropriate place, insert the following:
- 2 **SEC. ____ . BORDER FENCE COMPLETION.**
- 3 (a) MINIMUM REQUIREMENTS.—Section 102(b)(1) of
- 4 the Illegal Immigration Reform and Immigrant Responsi-
- 5 bility Act of 1996 (8 U.S.C. 1103 note) is amended—
- 6 (1) in subparagraph (A), by adding at the end
- 7 the following: “Fencing that does not effectively re-

1 strain pedestrian traffic (such as vehicle barriers
2 and virtual fencing) may not be used to meet the
3 700-mile fence requirement under this subpara-
4 graph.”;

5 (2) in subparagraph (B)—

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

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

10 (C) by adding at the end the following:

11 “(iii) not later than 1 year after the
12 date of the enactment of the Restoring
13 American Financial Stability Act of 2010,
14 complete the construction of all the rein-
15 forced fencing and the installation of the
16 related equipment described in subpara-
17 graph (A).”; and

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

20 “(iii) FUNDING NOT CONTINGENT ON
21 CONSULTATION.—Amounts appropriated to
22 carry out this paragraph may not be im-
23 pounded or otherwise withheld for failure
24 to fully comply with the consultation re-
25 quirement under clause (i).”.

1 (b) REPORT.—Not later than 180 days after the date
2 of the enactment of the Restoring American Financial
3 Stability Act of 2010, the Secretary of Homeland Security
4 shall submit a report to Congress that describes—

5 (1) the progress made in completing the rein-
6 forced fencing required under section 102(b)(1) of
7 the Illegal Immigration Reform and Immigrant Re-
8 sponsibility Act of 1996 (8 U.S.C. 1103 note), as
9 amended by this section; and

10 (2) the plans for completing such fencing not
11 later than 1 year after the date of the enactment of
12 this Act.