

In the Senate of the United States,

August 5, 2010.

Resolved, That the bill from the House of Representatives (H.R. 5875) entitled “An Act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 2010, and for other pur-*
4 *poses, namely:*

5

TITLE I

6

DEPARTMENT OF HOMELAND SECURITY

7

U.S. CUSTOMS AND BORDER PROTECTION

8

SALARIES AND EXPENSES

9

For an additional amount for “Salaries and Ex-

10 *penses”, \$253,900,000, to remain available until September*

1 30, 2011, of which \$39,000,000 shall be for costs to main-
2 tain U.S. Customs and Border Protection Officer staffing
3 on the Southwest Border of the United States, \$29,000,000
4 shall be for hiring additional U.S. Customs and Border
5 Protection Officers for deployment at ports of entry on the
6 Southwest Border of the United States, \$175,900,000 shall
7 be for hiring additional Border Patrol agents for deploy-
8 ment to the Southwest Border of the United States, and
9 \$10,000,000 shall be to support integrity and background
10 investigation programs.

11 *BORDER SECURITY FENCING, INFRASTRUCTURE, AND*
12 *TECHNOLOGY*

13 *For an additional amount for “Border Security Fenc-*
14 *ing, Infrastructure, and Technology,” \$14,000,000, to re-*
15 *main available until September 30, 2011, for costs of de-*
16 *signing, building, and deploying tactical communications*
17 *for support of enforcement activities on the Southwest Bor-*
18 *der of the United States.*

19 *AIR AND MARINE INTERDICTION, OPERATIONS,*
20 *MAINTENANCE, AND PROCUREMENT*

21 *For an additional amount for “Air and Marine Inter-*
22 *dition, Operations, Maintenance, and Procurement”,*
23 *\$32,000,000, to remain available until September 30, 2012,*
24 *for costs of acquisition and deployment of unmanned air-*
25 *craft systems.*

1 *CONSTRUCTION AND FACILITIES MANAGEMENT*

2 *For an additional amount for “Construction and Fa-*
3 *cilities Management”, \$6,000,000, to remain available until*
4 *September 30, 2011, for costs to construct up to 2 forward*
5 *operating bases for use by the Border Patrol to carry out*
6 *enforcement activities on the Southwest Border of the*
7 *United States.*

8 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*9 *SALARIES AND EXPENSES*

10 *For an additional amount for “Salaries and Ex-*
11 *penses”, \$80,000,000 to remain available until September*
12 *30, 2011, of which \$30,000,000 shall be for law enforcement*
13 *activities targeted at reducing the threat of violence along*
14 *the Southwest Border of the United States, and \$50,000,000*
15 *shall be for hiring of additional agents, investigators, intel-*
16 *ligence analysts, and support personnel.*

17 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*18 *SALARIES AND EXPENSES*

19 *For an additional amount for “Salaries and Ex-*
20 *penses”, \$8,100,000, to remain available until September*
21 *30, 2011, for costs to provide basic training for new U.S.*
22 *Customs and Border Protection Officers, Border Patrol*
23 *agents, and U.S. Immigration and Customs Enforcement*
24 *personnel.*

1 *GENERAL PROVISIONS*

2 *(RESCISSION)*

3 *SEC. 101. From unobligated balances made available*
4 *to U.S. Customs and Border Protection “Border Security*
5 *Fencing, Infrastructure, and Technology”, \$100,000,000 are*
6 *rescinded: Provided, That section 401 shall not apply to the*
7 *amount in this section.*

8 *TITLE II*

9 *DEPARTMENT OF JUSTICE*

10 *SEC. 201. For an additional amount for the Depart-*
11 *ment of Justice for necessary expenses for increased law en-*
12 *forcement activities related to Southwest Border enforce-*
13 *ment, \$196,000,000, to remain available until September*
14 *30, 2011: Provided, That funds shall be distributed to the*
15 *following accounts and in the following specified amounts:*

16 (1) *“Administrative Review and Appeals”,*
17 *\$2,118,000.*

18 (2) *“Detention Trustee”, \$7,000,000.*

19 (3) *“Legal Activities, Salaries and Expenses,*
20 *General Legal Activities”, \$3,862,000.*

21 (4) *“Legal Activities, Salaries and Expenses,*
22 *United States Attorneys”, \$9,198,000.*

23 (5) *“United States Marshals Service, Salaries*
24 *and Expenses”, \$29,651,000.*

1 (6) “*United States Marshals Service, Construc-*
2 *tion*”, \$8,000,000.

3 (7) “*Interagency Law Enforcement, Interagency*
4 *Crime and Drug Enforcement*”, \$21,000,000.

5 (8) “*Federal Bureau of Investigation, Salaries*
6 *and Expenses*”, \$24,000,000.

7 (9) “*Drug Enforcement Administration, Salaries*
8 *and Expenses*”, \$33,671,000.

9 (10) “*Bureau of Alcohol, Tobacco, Firearms and*
10 *Explosives, Salaries and Expenses*”, \$37,500,000.

11 (11) “*Federal Prison System, Salaries and Ex-*
12 *penses*”, \$20,000,000.

13 *TITLE III*

14 *THE JUDICIARY*

15 *COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*

16 *JUDICIAL SERVICES*

17 *SALARIES AND EXPENSES*

18 For an additional amount for “*Salaries and Ex-*
19 *penses*”, \$10,000,000, to remain available until September
20 30, 2011: *Provided, That notwithstanding section 302 of di-*
21 *vision C of Public Law 111–117, funding shall be available*
22 *for transfer between Judiciary accounts to meet increased*
23 *workload requirements resulting from immigration and*
24 *other law enforcement initiatives.*

1 *TITLE IV*2 *GENERAL PROVISIONS*

3 *SEC. 401. Each amount appropriated or otherwise*
4 *made available under this Act is designated as an emer-*
5 *gency requirement and necessary to meet emergency needs*
6 *pursuant to sections 403(a) and 423(b) of S. Con. Res. 13*
7 *(111th Congress), the concurrent resolution on the budget*
8 *for fiscal year 2010.*

9 *SEC. 402. (a) Notwithstanding any other provision of*
10 *this Act or any other provision of law, during the period*
11 *beginning on the date of the enactment of this Act and end-*
12 *ing on September 30, 2014, the filing fee and fraud preven-*
13 *tion and detection fee required to be submitted with an ap-*
14 *plication for admission as a nonimmigrant under section*
15 *101(a)(15)(L) of the Immigration and Nationality Act (8*
16 *U.S.C. 1101(a)(15)(L)) shall be increased by \$2,250 for ap-*
17 *plicants that employ 50 or more employees in the United*
18 *States if more than 50 percent of the applicant's employees*
19 *are nonimmigrants admitted pursuant to section*
20 *101(a)(15)(H)(i)(b) of such Act or section 101(a)(15)(L) of*
21 *such Act.*

22 *(b) Notwithstanding any other provision of this Act*
23 *or any other provision of law, during the period beginning*
24 *on the date of the enactment of this Act and ending on Sep-*
25 *tember 30, 2014, the filing fee and fraud prevention and*

1 *detection fee required to be submitted with an application*
2 *for admission as a nonimmigrant under section*
3 *101(a)(15)(H)(i)(b) of the Immigration and Nationality*
4 *Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) shall be increased by*
5 *\$2,000 for applicants that employ 50 or more employees*
6 *in the United States if more than 50 percent of the appli-*
7 *cant's employees are such nonimmigrants or non-*
8 *immigrants described in section 101(a)(15)(L) of such Act.*
9 *(c) During the period beginning on the date of the en-*
10 *actment of this Act and ending on September 30, 2014, all*
11 *amounts collected pursuant to the fee increases authorized*
12 *under this section shall be deposited in the General Fund*
13 *of the Treasury.*

Attest:

Secretary.

11TH CONGRESS
2^D SESSION

H.R. 5875

AMENDMENT