

AMENDMENT TO H.R. 2
OFFERED BY MR. CARTER OF LOUISIANA

Insert after section 103 the following:

1 SEC. 104. RANCHERS AND OTHER BORDER LAND OWNERS.

2 Notwithstanding any other provision of law, the Sec-
3 retary may not exercise any authority under section 102
4 of the Illegal Immigration Reform and Immigrant Respon-
5 sibility Act of 1996 (8 U.S.C. 1103 note), as amended
6 by this Act, until such time as the Secretary submits to
7 Congress the following with respect to the proposed exer-
8 cise of eminent domain with respect to any property sub-
9 ject to the exercise of such authority under such para-
10 graph:

11 (1) A certification, provided not later than 30
12 days before the proposed exercise of such eminent
13 domain, that—

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

16 (B) all options other than such exercise of
17 eminent domain have been evaluated and that
18 the security benefits that would be realized by
19 the Department in acquiring such property can-
20 not be achieved through other means.

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

