111th CONGRESS 2D Session

S.____

Making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCHUMER (for himself, Mr. REID, Mr. INOUYE, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BINGAMAN, Mrs. MCCASKILL, Mr. CASEY, Mr. MERKLEY, Mr. UDALL of Colorado, Mr. BEGICH, and Mr. BURRIS) introduced the following bill; which was read twice and referred to the Committee on ______

A BILL

- Making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,
 - 3 That the following sums are appropriated, out of any
 - 4 money in the Treasury not otherwise appropriated, for the
 - 5 fiscal year ending September 30, 2010, and for other pur-
 - 6 poses, namely:

2

1 TITLE I 2 DEPARTMENT OF HOMELAND SECURITY 3 U.S. CUSTOMS AND BORDER PROTECTION 4 SALARIES AND EXPENSES 5 For an additional amount for "Salaries and Expenses", \$253,900,000, to remain available until Sep-6 7 tember 30, 2011, of which \$39,000,000 shall be for costs 8 to maintain U.S. Customs and Border Protection Officer 9 staffing on the Southwest Border of the United States, 10 \$29,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports 11 12 of entry on the Southwest Border of the United States, 13 \$175,900,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the 14 15 United States, and \$10,000,000 shall be to support integrity and background investigation programs. 16 17 BORDER SECURITY FENCING, INFRASTRUCTURE, AND 18 TECHNOLOGY 19 For an additional amount for "Border Security Fencing, Infrastructure, and Technology," \$14,000,000, to re-20 21 main available until September 30, 2011, for costs of de-22 signing, building, and deploying tactical communications

for support of enforcement activities on the Southwest

24 Border of the United States.

3

1	AIR AND MARINE INTERDICTION, OPERATIONS,
2	MAINTENANCE, AND PROCUREMENT
3	For an additional amount for "Air and Marine Inter-
4	diction, Operations, Maintenance, and Procurement",
5	\$32,000,000, to remain available until September 30,
6	2012, for costs of acquisition and deployment of un-
7	manned aircraft systems.
8	CONSTRUCTION AND FACILITIES MANAGEMENT
9	For an additional amount for "Construction and Fa-
10	cilities Management", \$6,000,000, to remain available
11	until September 30, 2011, for costs to construct up to 2
12	forward operating bases for use by the Border Patrol to
13	carry out enforcement activities on the Southwest Border
14	of the United States.
15	U.S. Immigration and Customs Enforcement
16	SALARIES AND EXPENSES
17	For an additional amount for "Salaries and Ex-

1 x-18 penses", \$80,000,000 to remain available until September 19 30, 2011, of which \$30,000,000 shall be for law enforce-20 ment activities targeted at reducing the threat of violence along the Southwest Border of the United States, and 21 \$50,000,000 shall be for hiring of additional agents, inves-22 tigators, intelligence analysts, and support personnel. 23

S.L.C.

1	Federal Law Enforcement Training Center
2	SALARIES AND EXPENSES
3	For an additional amount for "Salaries and Ex-
4	penses", \$8,100,000, to remain available until September
5	30, 2011, for costs to provide basic training for new U.S.
6	Customs and Border Protection Officers, Border Patrol
7	agents, and U.S. Immigration and Customs Enforcement
8	personnel.
9	GENERAL PROVISIONS
10	(RESCISSION)
11	SEC. 101. From unobligated balances made available
12	to U.S. Customs and Border Protection "Border Security
13	Fencing, Infrastructure, and Technology", \$100,000,000
14	are rescinded: <i>Provided</i> , That section 401 shall not apply
15	to the amount in this section.
16	TITLE II
17	DEPARTMENT OF JUSTICE
18	SEC. 201. For an additional amount for the Depart-
19	ment of Justice for necessary expenses for increased law
20	enforcement activities related to Southwest Border en-
21	forcement, \$196,000,000, to remain available until Sep-
22	tember 30, 2011: Provided, That funds shall be distrib-
23	uted to the following accounts and in the following speci-
24	fied amounts:

1	(1) "Administrative Review and Appeals",
2	\$2,118,000.
3	(2) "Detention Trustee", \$7,000,000.
4	(3) "Legal Activities, Salaries and Expenses,
5	General Legal Activities", \$3,862,000.
6	(4) "Legal Activities, Salaries and Expenses,
7	United States Attorneys", \$9,198,000.
8	(5) "United States Marshals Service, Salaries
9	and Expenses", \$29,651,000.
10	(6) "United States Marshals Service, Construc-
11	tion", \$8,000,000.
12	(7) "Interagency Law Enforcement, Inter-
13	agency Crime and Drug Enforcement",
14	\$21,000,000.
15	(8) "Federal Bureau of Investigation, Salaries
16	and Expenses", \$24,000,000.
17	(9) "Drug Enforcement Administration, Sala-
18	ries and Expenses", \$33,671,000.
19	(10) "Bureau of Alcohol, Tobacco, Firearms
20	and Explosives, Salaries and Expenses",
21	\$37,500,000.
22	(11) "Federal Prison System, Salaries and Ex-
23	penses", \$20,000,000.

1	TITLE III
2	THE JUDICIARY
3	Courts of Appeals, District Courts, and Other
4	JUDICIAL SERVICES
5	SALARIES AND EXPENSES
6	For an additional amount for "Salaries and Ex-
7	penses", \$10,000,000, to remain available until September
8	30, 2011: Provided, That notwithstanding section 302 of
9	division C of Public Law 111–117, funding shall be avail-
10	able for transfer between Judiciary accounts to meet in-
11	creased workload requirements resulting from immigration
12	and other law enforcement initiatives.
13	TITLE IV
14	GENERAL PROVISIONS
15	SEC. 401. Each amount appropriated or otherwise
16	made available under this Act is designated as an emer-
17	gency requirement and necessary to meet emergency needs
18	pursuant to sections 403(a) and 423(b) of S. Con. Res.
19	13 (111th Congress), the concurrent resolution on the
20	budget for fiscal year 2010.
21	SEC. 402. (a) Notwithstanding any other provision
22	of this Act or any other provision of law, during the period
23	beginning on the date of the enactment of this Act and
24	ending on September 30, 2014, the filing fee and fraud
25	prevention and detection fee required to be submitted with

7

an application for admission as a nonimmigrant under sec-1 tion 101(a)(15)(L) of the Immigration and Nationality 2 3 Act (8 U.S.C. 1101(a)(15)(L)) shall be increased by 4 \$2,250 for applicants that employ 50 or more employees 5 in the United States if more than 50 percent of the applicant's employees are nonimmigrants admitted pursuant to 6 7 101(a)(15)(H)(i)(b) of such Act or section section 8 101(a)(15)(L) of such Act.

9 (b) Notwithstanding any other provision of this Act 10 or any other provision of law, during the period beginning on the date of the enactment of this Act and ending on 11 12 September 30, 2014, the filing fee and fraud prevention 13 and detection fee required to be submitted with an application for admission as a nonimmigrant under section 14 15 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) shall be increased by 16 17 \$2,000 for applicants that employ 50 or more employees in the United States if more than 50 percent of the appli-18 19 cant's employees are such nonimmigrants or non-20 immigrants described in section 101(a)(15)(L) of such 21 Act.

(c) During the period beginning on the date of the
enactment of this Act and ending on September 30, 2014,
all amounts collected pursuant to the fee increases author-

- 1 ized under this section shall be deposited in the General
- 2 Fund of the Treasury.