

111TH CONGRESS
2D SESSION

S. 3721

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

AUGUST 5, 2010

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

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:

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 Ex-
6 penses”, \$253,900,000, to remain available until Sep-
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
11 and Border Protection Officers for deployment at ports
12 of entry on the Southwest Border of the United States,
13 \$175,900,000 shall be for hiring additional Border Patrol
14 agents for deployment to the Southwest Border of the
15 United States, and \$10,000,000 shall be to support integ-
16 rity and background investigation programs.

17 BORDER SECURITY FENCING, INFRASTRUCTURE, AND
18 TECHNOLOGY

19 For an additional amount for “Border Security Fenc-
20 ing, Infrastructure, and Technology,” \$14,000,000, to re-
21 main available until September 30, 2011, for costs of de-
22 signing, building, and deploying tactical communications
23 for support of enforcement activities on the Southwest
24 Border of the United States.

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-
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
21 along the Southwest Border of the United States, and
22 \$50,000,000 shall be for hiring of additional agents, inves-
23 tigators, intelligence analysts, and support personnel.

- 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

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

22 (c) During the period beginning on the date of the
23 enactment of this Act and ending on September 30, 2014,
24 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.

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