

108TH CONGRESS
1ST SESSION

S. RES. 211

Expressing the sense of the Senate regarding the temporary entry provisions
in the Chile and Singapore Free Trade Agreements.

IN THE SENATE OF THE UNITED STATES

JULY 31 (legislative day, JULY 21), 2003

Mr. SESSIONS (for himself, Mr. KYL, Mrs. FEINSTEIN, Mr. CRAIG, Mr. GRAHAM of South Carolina, Mr. CHAMBLISS, Mr. FEINGOLD, Mr. BYRD, Mr. DORGAN, Mr. KOHL, Mr. DAYTON, and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to

RESOLUTION

Expressing the sense of the Senate regarding the temporary entry provisions in the Chile and Singapore Free Trade Agreements.

Whereas the transmittal of the legislation implementing the Chile and Singapore Free Trade Agreements to the Senate on July 15, 2003, was preceded by debate over whether temporary entry provisions in both the underlying language of the Chile and Singapore Free Trade Agreements and in the implementing legislation should be included;

Whereas article I, section 8, clause 3 of the Constitution authorizes Congress “to regulate Commerce with foreign Nations, and among the several States”, and article I, section 8, clause 4 of the Constitution provides that Con-

gress shall have power to “establish an uniform Rule of Naturalization”;

Whereas the Supreme Court has long interpreted these provisions of the Constitution to grant Congress plenary power over immigration policy;

Whereas members of the Senate often disagree about immigration policy, but agree that the formulation of immigration policy belongs to Congress; and

Whereas the practice of negotiating temporary entry provisions in the context of bilateral or multilateral trade agreements curtails the ability of Congress to regulate the Nation’s immigration policies, including the admission of foreign nationals: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) trade agreements are not the appropriate
3 vehicle for enacting immigration-related laws or
4 modifying current immigration policy; and

5 (2) future trade agreements to which the
6 United States is a party and the legislation implementing the agreements should not contain immigration-related provisions.
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