

H.R. 1464: Mr. SOUDER.  
H.R. 1522: Mr. WEXLER and Mr. LUTHER.  
H.R. 1581: Mr. FOLEY.  
H.R. 1609: Mr. TAYLOR of North Carolina.  
H.R. 1688: Mr. GEKAS.  
H.R. 1764: Mr. HOEKSTRA, Mr. GUTKNECHT, and Mr. JOHNSON of Illinois.  
H.R. 1784: Mr. FOLEY.  
H.R. 1795: Mr. SULLIVAN, Mr. BLAGOJEVICH, Mr. FOLEY, and Mr. HONDA.  
H.R. 1808: Mr. WYNN.  
H.R. 1810: Mr. FATTAH, Mr. KILDEE, and Mr. STRICKLAND.  
H.R. 1839: Mr. JONES of North Carolina.  
H.R. 1904: Mr. KENNEDY of Rhode Island, Mr. BENTSEN, and Mr. LEVIN.  
H.R. 1911: Mr. SHOWS.  
H.R. 1919: Mr. SAWYER and Mr. UPTON.  
H.R. 1935: Mr. CARSON of Oklahoma, Mrs. LOWEY, Ms. MCCOLLUM, Mr. HEFLEY, Mrs. JO ANN DAVIS of Virginia, Mr. MENENDEZ, Mr. HASTINGS of Florida, Ms. VELAZQUEZ, Mr. GRAHAM, Mr. SAWYER, Mr. WATTS of Oklahoma, Mr. CASTLE, Mr. WAMP, Mr. FRELINGHUYSEN, Ms. ROYBAL-ALLARD, Mr. STRICKLAND, Mr. EVANS, Mr. NADLER, and Mr. LOBIONDO.  
H.R. 1943: Mr. GREENWOOD.  
H.R. 1956: Mr. BRYANT, Mr. EHRLICH, and Ms. MCCARTHY of Missouri.  
H.R. 1979: Mr. SIMMONS and Mr. HAYES.  
H.R. 2125: Mr. WATKINS, Mr. LANGEVIN, Mr. MCINTYRE, and Mr. WU.  
H.R. 2148: Mrs. DAVIS of California.  
H.R. 2173: Mrs. LOWEY, Mr. PETERSON of Minnesota, Mr. BRADY of Pennsylvania, Mr. WYNN, and Mr. LANTOS.  
H.R. 2219: Mr. GALLEGLY.  
H.R. 2374: Mr. TIBERI and Mr. SCHROCK.  
H.R. 2388: Mr. GIBBONS.  
H.R. 2405: Mr. SERRANO and Mr. FOLEY.  
H.R. 2419: Mr. LYNCH.  
H.R. 2592: Mr. WYNN and Mr. SANDERS.  
H.R. 2631: Mr. WAMP.  
H.R. 2670: Mr. LARSEN of Washington.  
H.R. 2674: Mr. CUMMINGS.  
H.R. 2820: Mr. DAVIS of Illinois, Mr. HILLEARY, Mr. CAPUANO, Mr. CONYERS, Mr. LARSON of Connecticut, and Mr. HINOJOSA.  
H.R. 2868: Mr. DOOLEY of California.  
H.R. 2953: Mr. CROWLEY and Ms. MILLENDER-MCDONALD.  
H.R. 3068: Mr. CROWLEY and Mr. HINOJOSA.  
H.R. 3105: Mr. SHAYS.  
H.R. 3113: Mr. UDALL of Colorado and Ms. RIVERS.  
H.R. 3132: Mr. EVANS, Ms. BERKLEY, Mr. DINGELL, Mr. NEAL of Massachusetts, and Mr. STARK.  
H.R. 3139: Mr. LEVIN.  
H.R. 3185: Mrs. KELLEY.  
H.R. 3238: Mr. SKELTON.  
H.R. 3244: Mr. MCINTYRE, Mr. LEWIS of California, Mr. MICA, Mr. NORWOOD, Mr. VITTER, Mr. PENCE, Ms. MCCOLLUM, and Mr. ETHERIDGE.  
H.R. 3320: Mrs. ROUKEMA and Mr. LUCAS of Kentucky.  
H.R. 3321: Mr. CRENSHAW and Mr. WATT of North Carolina.  
H.R. 3324: Mr. LANGEVIN and Mr. KENNEDY of Rhode Island.  
H.R. 3414: Mrs. ROUKEMA and Mr. KIND.  
H.R. 3430: Mr. KUCINICH, Mrs. CAPITO, and Mr. WHITFIELD.  
H.R. 3439: Ms. ROS-LEHTINEN, Mr. FROST, Mr. KENNEDY of Minnesota, Mr. SOUDER, Mr. CARSON of Oklahoma, Mr. MCGOVERN, and Mr. HASTINGS of Florida.  
H.R. 3450: Ms. SLAUGHTER.  
H.R. 3505: Mr. FRANK.  
H.R. 3512: Mrs. MINK of Hawaii and Mr. HASTINGS of Florida.  
H.R. 3524: Mr. EVANS.  
H.R. 3569: Mr. EVANS.  
H.R. 3595: Ms. RIVERS.  
H.R. 3626: Ms. VELAZQUEZ.  
H.R. 3661: Mr. MCHUGH and Mr. BONILLA.

H.R. 3670: Ms. JACKSON-LEE of Texas, Mrs. DAVIS of California, Ms. SLAUGHTER, Mr. ORTIZ, Mr. ROTHMAN, and Mr. RODRIGUEZ.  
H.R. 3686: Mr. JONES of North Carolina.  
H.R. 3710: Mr. ROTHMAN.  
H.R. 3713: Mr. JEFF MILLER of Florida.  
H.R. 3717: Mr. SCHAFFER and Mr. THORNBERRY.  
H.R. 3792: Ms. RIVERS, Mr. FRANK, and Ms. MILLENDER-MCDONALD.  
H.R. 3794: Mr. BLUMENAUER, Mr. MCDERMOTT, Mr. INSLEE, Mr. BACA.  
H.R. 3826: Ms. MCKINNEY.  
H.R. 3831: Mr. HAYES.  
H.R. 3833: Mr. BISHOP.  
H.R. 3834: Mr. EVANS.  
H.R. 3847: Mr. MENENDEZ.  
H.R. 3884: Mr. UDALL of New Mexico and Mr. MCDERMOTT.  
H.R. 3890: Mrs. CLAYTON.  
H.R. 3900: Mr. WHITFIELD.  
H.R. 3912: Ms. SCHAKOWSKY.  
H.R. 3956: Ms. MCCOLLUM.  
H.R. 3957: Mr. EVANS.  
H.R. 3974: Mr. DOOLEY of California and Mr. DEFAZIO.  
H.R. 4000: Mr. PAUL, Mr. WYNN, Mr. LANGEVIN, and Mr. EVANS.  
H.R. 4003: Mrs. DAVIS of California.  
H.R. 4014: Ms. VELAZQUEZ, Mr. KIND, and Mrs. JOHNSON of Connecticut.  
H.R. 4018: Mrs. THURMAN, Mr. FRANK, and Mr. MCGOVERN.  
H.R. 4030: Mr. MCHUGH.  
H.R. 4066: Mr. MURTHA, Mr. BOEHLERT, Mr. HOFFEL, Mr. ENGEL, Mr. BAIRD, Mr. FROST, and Mr. KIND.  
H.R. 4089: Ms. VELAZQUEZ, Ms. ROYBAL-ALLARD, Mr. CLAY, and Ms. NORTON.  
H.R. 4091: Ms. VELAZQUEZ, Ms. ROYBAL-ALLARD, Mr. CLAY, and Ms. NORTON.  
H.R. 4108: Mr. CANTOR, Mr. STENHOLM, Mr. SHADEGG, and Mr. GREENWOOD.  
H.R. 4119: Mr. HASTINGS of Florida.  
H.R. 4169: Mr. SAM JOHNSON of Texas.  
H.R. 4187: Mr. BALDACCIO, Mr. SHAYS, Mr. GILMAN, Mr. GEORGE MILLER of California, Mr. VISCLOSKEY, Mr. DEFAZIO, and Mr. ROEMER.  
H.R. 4194: Mr. ISAKSON, Mrs. CLAYTON, Mr. PAUL, Ms. MCKINNEY, and Mr. JEFFERSON.  
H.R. 4209: Ms. BROWN of Florida, Mr. WEXLER, Ms. PELOSI, Mr. SMITH of Washington, and Mr. YOUNG of Alaska.  
H.R. 4446: Mr. GARY G. MILLER of California, Mr. DIAZ-BALART, Mr. WELDON of Pennsylvania, Ms. PRYCE of Ohio, Mr. BARTLETT of Maryland, Mr. ENGLISH, and Mr. QUINN.  
H.R. 4483: Ms. ROS-LEHTINEN, Mr. OTTER, Mr. COBLE, Mr. TIBERI, Mr. PLATTS, and Mr. SHERMAN.  
H.R. 4515: Mr. PETERSON of Minnesota.  
H.J. Res. 40: Mr. LAMPSON.  
H.J. Res. 81: Mr. ENGLISH and Mr. MCCRERY.  
H. Con. Res. 46: Mr. ENGLISH, Mr. ISRAEL, Mr. GOODE, and Mr. CARSON of Oklahoma.  
H. Con. Res. 177: Mr. OWENS.  
H. Con. Res. 271: Mr. SAXTON.  
H. Con. Res. 301: Mr. GEKAS.  
H. Con. Res. 315: Mr. CRANE and Mr. ADERHOLT.  
H. Con. Res. 346: Ms. MCCOLLUM.  
H. Con. Res. 355: Mr. LANTOS, Mr. GILMAN, Mr. ROTHMAN, Mr. MENENDEZ, Mr. BRADY of Pennsylvania, Mr. PALLONE, Mr. BERMAN, Mr. ACKERMAN, Mr. McNULTY, Mr. CLEMENT, and Mr. CANTOR.  
H. Con. Res. 358: Mr. TOWNS, Ms. MCCOLLUM, Mr. HANSEN, Mr. RUSH, Mr. LYNCH, Mr. WOLF, Mr. HALL of Texas, and Mr. HILLIARD.  
H. Con. Res. 378: Mr. PENCE, Mr. EHRLERS, Ms. HART, Mr. HOBSON, Mr. HAYWORTH, Mr. KENNEDY of Minnesota, Mr. PICKERING, Ms. ROS-LEHTINEN, Mr. SIMPSON, Mr. BROWN of South Carolina, Mr. CUNNINGHAM, Mr. CALVERT, Mr. BRYANT, Mr. CASTLE, Mr. CHABOT,

Mr. CANNON, Mr. FLETCHER, Mr. FERGUSON, Mr. GOSS, Mr. WELLER, Mr. WICKER, Mr. WILSON of South Carolina, Mr. RAMSTAD, Mr. HERGER, Mr. BOOZMAN, Mr. WHITFIELD, Mr. RADANOVICH, Mr. WAMP, Mr. SHIMKUS, Mr. GALLEGLY, Mr. KIRK, Mr. CHAMBLISS, Mr. BALLENGER, Mr. GRAHAM, Mr. EHRLICH, Mr. CAMP, Mr. TAUZIN, Mr. GARY G. MILLER of California, Mr. KELLER, Mrs. WILSON of New Mexico, Mr. GOODLATTE, Mrs. MORELLA, Mr. DAN MILLER of Florida, Mr. HAYES, Mr. ABERCROMBIE, Mr. BAIRD, Ms. BALDWIN, Mr. BARCIA, Mr. BERMAN, Mr. BISHOP, Mr. BRADY of Texas, Ms. BROWN of Florida, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CONDIT, Mr. COYNE, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DINGELL, Mr. EVANS, Ms. ESHOO, Mr. FALBOMAVEGA, Mr. FROST, Mr. HALL of Ohio, Ms. HARMAN, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KIND, Mr. LANGEVIN, Ms. LOFGREN, Mr. LYNCH, Mr. MALONEY of Connecticut, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MCKINNEY, Mr. McNULTY, Ms. MILLENDER-MCDONALD, Mr. MORAN of Virginia, Mr. NADLER, Ms. NORTON, Mr. RAHALL, Mr. SAWYER, Mr. SCHIFF, Mr. SERRANO, Mr. SHERMAN, Mr. TURNER, Ms. WATERS, Mr. WATT of North Carolina, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, Mr. COLLINS, Mr. FATTAH, Mr. DAVIS of Florida, Mrs. BIGGERT, and Mr. OXLEY.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 448: Mr. MCDERMOTT.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3231

OFFERED BY: MR. KOLBE

(Amendment in the Nature of a Substitute)

AMENDMENT No. 1. Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Immigration and Naturalization Service Reorganization Act of 2002”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Activities within Department of Justice.  
Sec. 3. Activities within Department of State.  
Sec. 4. Activities within Department of Labor.  
Sec. 5. Conforming provisions.  
Sec. 6. Effective date; transition.

### SEC. 2. ACTIVITIES WITHIN DEPARTMENT OF JUSTICE.

(a) ABOLITION OF INS.—The Immigration and Naturalization Service and the office of Commissioner of Immigration and Naturalization are abolished.

(b) CONSOLIDATION OF BORDER PATROL, INSPECTIONS, INVESTIGATIONS, AND REMOVAL AND RELATED ENFORCEMENT FUNCTIONS WITHIN A BUREAU OF IMMIGRATION ENFORCEMENT.—Title I of the Immigration and Nationality Act is amended—

(1) by inserting the following after the heading to the title:

“CHAPTER 1—DEFINITIONS AND GENERAL AUTHORITIES”; and

(2) by adding at the end the following new chapter:

“CHAPTER 2—ADMINISTRATION OF  
IMMIGRATION SYSTEM

“IMMIGRATION ENFORCEMENT THROUGH A BUREAU FOR IMMIGRATION ENFORCEMENT IN DEPARTMENT OF JUSTICE

“SEC. 111. (a) ESTABLISHMENT OF BUREAU.—There is hereby established in the Department of Justice the Bureau for Immigration Enforcement.

“(b) DIRECTOR.—

“(1) APPOINTMENT.—The head of such Bureau shall be the Director for Immigration Enforcement, who—

“(A) shall be appointed by the President, by and with the advice and consent of the Senate; and

“(B) shall report directly to the Attorney General.

“(2) COMPENSATION.—The Director shall be paid at the rate of basic pay payable for level II of the Executive Schedule.

“(c) FUNCTIONS.—

“(1) IN GENERAL.—The Bureau shall perform functions under the immigration laws relating to the following:

“(A) Prevention of illegal entry.

“(B) Inspection at ports of entry.

“(C) Apprehension and detention, including programs of parole or supervised release.

“(D) Exclusion, deportation, and removal.

“(E) Investigations, including investigations of immigration-related smuggling operations and document fraud.

“(2) DELEGATION OF DETENTION AUTHORITY.—Under regulations of the Attorney General, the responsibilities of the Bureau relating to detention of aliens may be delegated to the Federal Detention Trustee.

“(d) GENERAL COUNSEL.—There shall be a position of General Counsel for the Bureau of Immigration Enforcement. The General Counsel and his or her delegates shall, in addition to such other duties as they may be assigned by the Director for Immigration Enforcement, shall represent the Bureau in all exclusion, deportation, and removal proceedings before the Executive Office for Immigration Review, including in proceedings to adjudicate relief from exclusion, deportation and removal, and in other legal, judicial, or administrative proceedings involving the functions performed by the Bureau.

“(e) FIELD OFFICES.—The Bureau shall conduct its enforcement activities through field offices. The location of such offices shall be determined based upon the enforcement priorities of the Bureau and without regard to the location of previous district offices of the Immigration and Naturalization Service or the location of service offices established to carry out section 112. Nothing in this subsection shall be construed as preventing the Bureau from continuing the use of regional offices for administrative and managerial oversight of field offices.”

**SEC. 3. ACTIVITIES WITHIN DEPARTMENT OF STATE.**

(a) IN GENERAL.—Chapter 2 of title I of the Immigration and Nationality Act, as added by section 2(b), is amended by adding at the end the following new section:

“PERFORMANCE OF FUNCTIONS RELATED TO IMMIGRATION AND REFUGEE ADMISSIONS, ASYLUM AFFAIRS, CITIZENSHIP, AND PASSPORT ACTIVITIES IN DEPARTMENT OF STATE

“SEC. 112. (a) ASSISTANT SECRETARIES OF STATE.—There shall be appointed in the Department of State an Assistant Secretary of State for Immigration Affairs, an Assistant Secretary of State for Refugee Admissions and Asylum Affairs, and an Assistant Secretary of State for Citizenship and Passport Services. Such Assistant Secretaries shall be in addition to such Assistant Secretaries as are authorized under section 1(c) of the State Department Basic Authorities Act of 1956.

“(b) UNDER SECRETARY FOR CITIZENSHIP, IMMIGRATION, AND REFUGEE ADMISSIONS.—

“(1) IN GENERAL.—Such Assistant Secretaries shall be under the supervision and direction of an Under Secretary of State for Citizenship, Immigration, and Refugee Admissions who—

“(A) shall be appointed by the President, by and with the advice and consent of the Senate; and

“(B) shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.

“(2) RELATION TO OTHER AUTHORITY.—Such Under Secretary shall be in addition to such Under Secretaries as are authorized under section 1(b) of the State Department Basic Authorities Act of 1956.

“(c) FUNCTIONS.—The Assistant Secretaries appointed under subsection (a) shall perform functions under the immigration laws relating to adjudication of applications for citizenship, immigration, and refugee status, and related benefits, both within the United States and abroad, issuance of appropriate documentation, and overseas citizens services, and related anti-fraud activities.

“(d) REVIEW OF DECISIONS.—The Secretary of State shall establish by regulation procedures for internal review of decisions of consular and other officers in granting, refusing, or revoking visas, adjustment or change in immigration status, and naturalization.”

(b) FUNDING.—Section 286 of such Act (8 U.S.C. 1356) is amended—

(1) in subsection (m)—

(A) by striking “as are designated by the Attorney General” and inserting “as are designated by the Secretary of State”,

(B) by striking “directly by the Attorney General” and inserting “directly by the Secretary of State, the Attorney General”, and

(C) by striking “by the Attorney General” after “received”;

(2) in subsection (n)—

(A) by striking “Attorney General” and inserting “Secretary of State”, and

(B) by inserting “and other services described in section 112(c)” after “naturalization services”; and

(3) in subsection (o), by striking “Attorney General” and inserting “Secretary of State”.

**SEC. 4. ACTIVITIES WITHIN DEPARTMENT OF LABOR.**

Chapter 2 of title I of the Immigration and Nationality Act, as added by section 2(b) and as amended by section 3(a), is amended by adding at the end the following new section:

“RESPONSIBILITIES OF DEPARTMENT OF LABOR

“SEC. 113. (a) RESPONSIBILITY FOR VERIFICATION-RELATED ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary of Labor is responsible for enforcement of provisions of the immigration laws relating to verification of employment authorization under subsections (a)(1)(B), (a)(5), and (b) of section 274A.

“(2) ENFORCEMENT AUTHORITY.—The Secretary of Labor is authorized to impose penalties under section 274A(e)(5) for violations of section 274A(a)(1)(B).

“(3) NOTICE.—The Secretary of Labor shall notify the Director of the Bureau for Immigration Enforcement of any information discovered concerning a violation of section 274A(a)(1)(A).

“(b) RESPONSIBILITY FOR ENFORCEMENT OF TERMS AND CONDITIONS OF EMPLOYMENT.—

“(1) IN GENERAL.—The Secretary of Labor shall monitor employers’ fulfillment of terms and conditions of attestations, labor certifications, and other applications filed in compliance with employment-related requirements for the admission of aliens under the immigration laws, including under subparagraphs (H), (L), (O), (P), and (Q) of section 101(a)(15) and under section 203(b).

“(2) AUTHORITY TO IMPOSE ADMINISTRATIVE FINES.—The Secretary of Labor may assess

administrative fines against those found to have violated the terms and conditions of such attestations, labor certifications, and applications.

“(3) NOTICE.—The Secretary of Labor shall notify the Secretary of State of any finding of a substantial failure to meet the terms and conditions of such attestations, labor certifications, and applications.

“(c) CONSTRUCTION.—Nothing in this section shall be construed as affecting the administration of section 274B (relating to unfair immigration-related employment practices).”

**SEC. 5. CONFORMING PROVISIONS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any reference in law or regulation to the Commissioner of Immigration and Naturalization, to the Immigration and Naturalization Service, or the Administrator described in section 104(b) of the Immigration and Nationality Act with respect to a function or authority shall be deemed a reference to the appropriate entity which has such function or authority under chapter 2 of title I of the Immigration and Nationality Act, as amended by this Act.

(b) SUPERSEDING OTHER PROVISIONS OF LAW.—Chapter 2 of title I of the Immigration and Nationality Act, as added by this Act, is amended by adding at the end the following:

“RELATIONSHIP TO OTHER PROVISIONS

“SEC. 114. (a) IN GENERAL.—The provisions of this chapter supersede sections 103 and 104 and other provisions of law to the extent such provisions are inconsistent with the provisions of this chapter.

“(b) NO APPLICATION TO ADMINISTRATION OF REFUGEE ASSISTANCE.—This chapter shall not affect the administration of title IV of this Act.”

(c) SUBMISSION OF LEGISLATIVE PROPOSAL FOR TECHNICAL AND CONFORMING AMENDMENTS.—Not later than 90 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretaries of State and Labor and, as appropriate, with the heads of other Federal agencies, shall submit to the Congress, a legislative proposal proposing such technical and conforming amendments to the Immigration and Nationality Act and other immigration-related laws as are necessary to bring the law into conformity with the policies embodied in this Act.

(d) CLERICAL AMENDMENTS.—The table of contents of the Immigration and Nationality Act is amended—

(1) by inserting before the item relating to section 101 the following:

“CHAPTER 1—DEFINITIONS AND GENERAL AUTHORITIES”;

(2) by amending the item relating to section 103 to read as follows:

“Sec. 103. Powers and duties of the Attorney General.”;

and

(3) by inserting after the item relating to section 105 the following:

“CHAPTER 2—ADMINISTRATION OF THE IMMIGRATION SYSTEM

“Sec. 111. Immigration enforcement through a bureau for immigration enforcement in Department of Justice.

“Sec. 112. Performance of refugee admissions, asylum affairs, citizenship, and passport activities in Department of State.

“Sec. 113. Responsibilities of Department of Labor.

“Sec. 114. Relationship to other provisions.”.

**SEC. 6. EFFECTIVE DATE; TRANSITION.**

(a) EFFECTIVE DATE.—Except as provided in this section, this Act, and the amendments

made by this Act, shall take effect on the date that is 6 months after the date of the enactment of this Act.

(b) **TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.**—

(1) **IN GENERAL.**—The personnel of the Department of Justice or other agency employed in connection with the functions transferred by this Act, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available to such Department or agency in connection with the functions transferred by this Act, subject to section 202 of the Budget and Accounting Procedures Act of 1950, shall be transferred to the entity to which such funds are so transferred for appropriate allocation by the head of such entity. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.

(2) **EFFECT ON PERSONNEL.**—

(A) **IN GENERAL.**—The transfer under this Act of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, if at all, for 1 year after the date of the transfer.

(B) **EXECUTIVE SCHEDULE.**—Any person who, on the day preceding the effective date of this Act, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed into an agency established under this Act to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(c) **DELEGATION AND ASSIGNMENT.**—Except as otherwise expressly prohibited by law or otherwise provided in this Act, an official to whom functions are transferred under this Act (including the head of any office to which functions are transferred under this Act) may delegate any of the functions so transferred to such officers and employees of the office of the official as the official may designate, and may authorize successive re-delegations of such functions as may be necessary or appropriate. No delegation of functions under this section or under any other provision of this Act shall relieve the official

to whom a function is transferred under this Act of responsibility for the administration of the function.

(d) **SAVINGS PROVISIONS.**—

(1) **CONTINUING LEGAL FORCE AND EFFECT.**—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any amendment made by this Act; and

(B) that are in effect at the time such transfer takes effect, or were final before the effective date of such transfer and are to become effective on or after the effective date of such transfer,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) **PENDING PROCEEDINGS.**—(A) The provisions of any amendment made by this Act shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any provision before any department, agency, commission, or component thereof, functions of which are transferred by any amendment. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(B) Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the authorized Federal official, by a court of competent jurisdiction, or by operation of law.

(C) Nothing in this Act shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(D) The head of each of the Federal Departments is authorized to promulgate regula-

tions providing for the orderly transfer of proceedings continued under this paragraph with respect to such Department.

(3) **NO EFFECT ON JUDICIAL PROCEEDINGS.**—Except as provided in paragraph (5)—

(A) the provisions of this Act shall not affect suits commenced prior to the effective date of this Act, and

(B) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(4) **NONABATEMENT OF PROCEEDINGS.**—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by any amendment made by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by any such amendment, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this Act.

(5) **CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.**—If, before the date on which any amendment made by this Act takes effect, any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to another official, then such suit shall be continued with the other appropriate official substituted or added as a party.

(6) **REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.**—Orders and actions of the Attorney General or other Federal official Secretary in the exercise of functions transferred under any amendment made by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any such amendment shall apply to the exercise of such function by the appropriate Federal official.

Amend the title so as to read: "A bill to amend the Immigration and Nationality Act to improve the administrative structure for carrying out the immigration laws."