

SENATE CONCURRENT RESOLUTION 135—EXPRESSING THE SENSE OF CONGRESS REGARDING HOUSING AFFORDABILITY AND URGING FAIR AND EXPEDITIOUS REVIEW BY INTERNATIONAL TRADE TRIBUNALS TO ENSURE A COMPETITIVE NORTH AMERICAN MARKET FOR SOFTWOOD LUMBER

Mr. NICKLES (for himself, Mr. KYL, Mr. ROBERTS, Mr. INHOFE, Mr. BUNNING, Mr. GRAHAM, Mr. BAYH, Mr. HAGEL, and Mrs. CARNAHAN) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 135

Whereas the United States and Canada have, since 1989, worked to eliminate tariff and nontariff barriers to trade;

Whereas free trade has greatly benefitted the United States and Canadian economies;

Whereas the U.S. International Trade Commission only found the potential for a Threat of Injury (as opposed to actual injury) to domestic lumber producers but the Department of Commerce imposed a 27 percent duty on U.S. lumber consumers;

Whereas trade restrictions on Canadian lumber exported to the U.S. market have been an exception to the general rule of bilateral free trade;

Whereas the legitimate interests of consumers are often overlooked in trade disputes;

Whereas the availability of the affordable housing is important to American home buyers and the need for the availability of such housing, particularly in metropolitan cities across America, is growing faster than it can be met;

Whereas imposition of special duties on U.S. consumers of softwood lumber, essential for construction of on-site and manufactured homes, jeopardizes housing affordability, and

Whereas the United States has agreed to abide by dispute settlement procedures in the World Trade Organization and the North American Free Trade Agreement, providing for international review of national remedy actions; and,

Whereas the World Trade Organization and North American Free Trade Agreement dispute panels are reviewing findings by the ITC: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), that it is the sense of the Congress that—

(1) The Department of Commerce and U.S. Trade Representative should work to assure that no delays occur in resolving the current disputes before the NAFTA and WTO panels, supporting a fair and expeditious review;

(2) U.S. anti-dumping and countervail law is a rules-based system that should proceed to conclusion in WTO and NAFTA trade panels;

(3) The President should continue discussions with the Government of Canada to promote open trade between the United States and Canada on softwood lumber free of trade restraints that harm consumers;

(4) The President should consult with all stakeholders, including consumers of lumber products in future discussions regarding any terms of trade in softwood lumber between the United States and Canada.

SENATE CONCURRENT RESOLUTION 136—REQUESTING THE PRESIDENT TO ISSUE A PROCLAMATION IN OBSERVANCE OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE INTERNATIONAL ASSOCIATION OF FISH AND WILDLIFE AGENCIES

Mr. BAUCUS (for himself and Mr. BURNS) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary.

S. CON. RES. 136

Whereas on September 17, 1902, when Theodore Roosevelt was President, 8 wildlife managers and game wardens from 6 States met in West Yellowstone, Montana, on behalf of the country's beleaguered fish and wildlife populations, and established the National Association of Game and Fish Wardens and Commissioners, which later became the International Association of Fish and Wildlife Agencies (IAFWA);

Whereas 100 years later, IAFWA represents the fish and wildlife agencies of all 50 States and enjoys the membership of several Federal natural resource agencies, the Federal and provincial fish and wildlife agencies of Canada, and the Federal natural resource agency of Mexico;

Whereas IAFWA has been a significant force in the enactment of fish and wildlife conservation treaties and Federal statutes too numerous to enumerate, including the Migratory Bird Treaty Act; the Pittman-Robertson Wildlife Restoration Act; the Dingell-Johnson Sportfish Restoration Act; all farm bills enacted since 1985; the North American Wetlands Conservation Act; the National Wildlife Refuge System Improvement Act of 1997, and the Fish and Wildlife Programs Improvement and National Wildlife Refuge System Centennial Act of 2000, to mention but a few;

Whereas IAFWA continues to promote the sustainable use of natural resources, to encourage cooperation and coordination of fish and wildlife conservation and management at all levels of government; to encourage professional management of fish and wildlife; to develop coalitions among conservation organizations to promote fish and wildlife interests; and to foster public understanding of the need for conservation; and

Whereas the State fish and wildlife agencies have successfully restored healthy fish and wildlife populations enjoyed by all Americans largely using Federal excise taxes paid by hunters and anglers into the Federal trust funds known as the Pittman-Robertson, Dingell-Johnson, and Wallop-Breaux trust funds, and using State hunting and fishing license fees: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) recognizes the significance of the centennial of the establishment of the entity that became the International Association of Fish and Wildlife Agencies;

(2) acknowledges the outstanding contributions of its members agencies to fish and wildlife conservation; and

(3) requests the President to issue a proclamation observing the 100th anniversary of the founding of the International Association of Fish and Wildlife Agencies.

SENATE CONCURRENT RESOLUTION 137—EXPRESSING THE SENSE OF CONGRESS THAT THE FEDERAL MEDIATION AND CONCILIATION SERVICE SHOULD EXERT ITS BEST EFFORTS TO CAUSE THE MAJOR LEAGUE BASEBALL PLAYERS ASSOCIATION AND THE OWNERS OF THE TEAMS OF MAJOR LEAGUE BASEBALL TO ENTER INTO A CONTRACT TO CONTINUE TO PLAY PROFESSIONAL BASEBALL GAMES WITHOUT ENGAGING IN A STRIKE, TO LOCKOUT, OR ANY CONDUCT THAT INTERFERES WITH THE PLAYING OF SCHEDULED PROFESSIONAL BASEBALL GAMES

Mr. MILLER submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 137

Whereas major league baseball is a national institution and is commonly referred to as "the national pastime";

Whereas major league baseball and its players played a critical role in restoring America's spirit following the tragic events of September 11, 2001;

Whereas major league baseball players are role models to millions of young Americans; and

Whereas while the financial issues involved in this current labor negotiation are significant, they pale in comparison to the damage that will be caused by a strike or work stoppage: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the Federal Mediation and Conciliation Service, on its own motion and in accordance with section 203(b) of the Labor Management Relations Act, 1947 (29 U.S.C. 173(b)), should immediately—

(1) proffer its services to the Major League Baseball Players Association and the owners of the teams of Major League Baseball to resolve labor contract disputes relating to entering into a collective bargaining agreement; and

(2) use its best efforts to bring the parties to agree to such contract without engaging in a strike, a lockout, or any other conduct that interferes with the playing of scheduled professional baseball games.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4467. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4468. Mr. REID (for Mr. BIDEN (for himself and Mr. HELMS)) proposed an amendment to the bill S. 2487, to provide for global pathogen surveillance and response.

SA 4469. Mr. REID (for Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3253, To amend title 38, United States Code, to provide for the establishment within the Department of Veterans Affairs of improved emergency medical preparedness, research, and education programs to combat terrorism, and for other purposes.

SA 4470. Mr. REID (for Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3253, supra.

TEXT OF AMENDMENTS

SA 4467. Mr. LIBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Homeland Security and Combating Terrorism Act of 2002”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 3 divisions as follows:

(1) Division A—National Homeland Security and Combating Terrorism.

(2) Division B—Immigration Reform, Accountability, and Security Enhancement Act of 2002.

(3) Division C—Federal Workforce Improvement.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—NATIONAL HOMELAND SECURITY AND COMBATING TERRORISM
Sec. 100. Definitions.

TITLE I—DEPARTMENT OF HOMELAND SECURITY

Subtitle A—Establishment of the Department of Homeland Security
Sec. 101. Establishment of the Department of Homeland Security.
Sec. 102. Secretary of Homeland Security.
Sec. 103. Deputy Secretary of Homeland Security.
Sec. 104. Under Secretary for Management.
Sec. 105. Assistant Secretaries.
Sec. 106. Inspector General.
Sec. 107. Chief Financial Officer.
Sec. 108. Chief Information Officer.
Sec. 109. General Counsel.
Sec. 110. Civil Rights Officer.
Sec. 111. Privacy Officer.
Sec. 112. Chief Human Capital Officer.
Sec. 113. Office of International Affairs.
Sec. 114. Executive Schedule positions.

Subtitle B—Establishment of Directorates and Offices
Sec. 131. Directorate of Border and Transportation Protection.
Sec. 132. Directorate of Intelligence.
Sec. 133. Directorate of Critical Infrastructure Protection.
Sec. 134. Directorate of Emergency Preparedness and Response.
Sec. 135. Directorate of Science and Technology.
Sec. 136. Directorate of Immigration Affairs.
Sec. 137. Office for State and Local Government Coordination.
Sec. 138. United States Secret Service.
Sec. 139. Border Coordination Working Group.
Sec. 140. Executive Schedule positions.

Subtitle C—National Emergency Preparedness Enhancement
Sec. 151. Short title.
Sec. 152. Preparedness information and education.
Sec. 153. Pilot program.
Sec. 154. Designation of National Emergency Preparedness Week.

Subtitle D—Miscellaneous Provisions
Sec. 161. National Bio-Weapons Defense Analysis Center.
Sec. 162. Review of food safety.
Sec. 163. Exchange of employees between agencies and State or local governments.

Sec. 164. Whistleblower protection for Federal employees who are airport security screeners.

Sec. 165. Whistleblower protection for certain airport employees.

Sec. 166. Bioterrorism preparedness and response division.

Sec. 167. Coordination with the Department of Health and Human Services under the Public Health Service Act.

Sec. 168. Rail security enhancements.

Sec. 169. Grants for firefighting personnel.

Sec. 170. Review of transportation security enhancements.

Sec. 171. Interoperability of information systems.

Subtitle E—Transition Provisions

Sec. 181. Definitions.

Sec. 182. Transfer of agencies.

Sec. 183. Transitional authorities.

Sec. 184. Incidental transfers and transfer of related functions.

Sec. 185. Implementation progress reports and legislative recommendations.

Sec. 186. Transfer and allocation.

Sec. 187. Savings provisions.

Sec. 188. Transition plan.

Sec. 189. Use of appropriated funds.

Subtitle F—Administrative Provisions

Sec. 191. Reorganizations and delegations.

Sec. 192. Reporting requirements.

Sec. 193. Environmental protection, safety, and health requirements.

Sec. 194. Labor standards.

Sec. 195. Procurement of temporary and intermittent services.

Sec. 196. Preserving non-homeland security mission performance.

Sec. 197. Future Years Homeland Security Program.

Sec. 198. Protection of voluntarily furnished confidential information.

Sec. 199. Authorization of appropriations.

TITLE II—NATIONAL OFFICE FOR COMBATING TERRORISM

Sec. 201. National Office for Combating Terrorism.

Sec. 202. Funding for Strategy programs and activities.

TITLE III—NATIONAL STRATEGY FOR COMBATING TERRORISM AND THE HOMELAND SECURITY RESPONSE

Sec. 301. Strategy.

Sec. 302. Management guidance for Strategy implementation.

Sec. 303. National Combating Terrorism Strategy Panel.

TITLE IV—LAW ENFORCEMENT POWERS OF INSPECTOR GENERAL AGENTS

Sec. 401. Law enforcement powers of Inspector General agents.

TITLE V—FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY

Subtitle A—Temporary Flexibility for Certain Procurements

Sec. 501. Definition.

Sec. 502. Procurements for defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.

Sec. 503. Increased simplified acquisition threshold for procurements in support of humanitarian or peacekeeping operations or contingency operations.

Sec. 504. Increased micro-purchase threshold for certain procurements.

Sec. 505. Application of certain commercial items authorities to certain procurements.

Sec. 506. Use of streamlined procedures.

Sec. 507. Review and report by Comptroller General.

Subtitle B—Other Matters

Sec. 511. Identification of new entrants into the Federal marketplace.

TITLE VI—EFFECTIVE DATE

Sec. 601. Effective date.

DIVISION B—IMMIGRATION REFORM, ACCOUNTABILITY, AND SECURITY ENHANCEMENT ACT OF 2002

Sec. 1001. Short title.

Sec. 1002. Definitions.

TITLE XI—DIRECTORATE OF IMMIGRATION AFFAIRS

Subtitle A—Organization

Sec. 1101. Abolition of INS.

Sec. 1102. Establishment of Directorate of Immigration Affairs.

Sec. 1103. Under Secretary of Homeland Security for Immigration Affairs.

Sec. 1104. Bureau of Immigration Services.

Sec. 1105. Bureau of Enforcement and Border Affairs.

Sec. 1106. Office of the Ombudsman within the Directorate.

Sec. 1107. Office of Immigration Statistics within the Directorate.

Sec. 1108. Clerical amendments.

Subtitle B—Transition Provisions

Sec. 1111. Transfer of functions.

Sec. 1112. Transfer of personnel and other resources.

Sec. 1113. Determinations with respect to functions and resources.

Sec. 1114. Delegation and reservation of functions.

Sec. 1115. Allocation of personnel and other resources.

Sec. 1116. Savings provisions.

Sec. 1117. Interim service of the Commissioner of Immigration and Naturalization.

Sec. 1118. Executive Office for Immigration Review authorities not affected.

Sec. 1119. Other authorities not affected.

Sec. 1120. Transition funding.

Subtitle C—Miscellaneous Provisions

Sec. 1121. Funding adjudication and naturalization services.

Sec. 1122. Application of Internet-based technologies.

Sec. 1123. Alternatives to detention of asylum seekers.

Subtitle D—Effective Date

Sec. 1131. Effective date.

TITLE XII—UNACCOMPANIED ALIEN CHILD PROTECTION

Sec. 1201. Short title.

Sec. 1202. Definitions.

Subtitle A—Structural Changes

Sec. 1211. Responsibilities of the Office of Refugee Resettlement with respect to unaccompanied alien children.

Sec. 1212. Establishment of interagency task force on unaccompanied alien children.

Sec. 1213. Transition provisions.

Sec. 1214. Effective date.

Subtitle B—Custody, Release, Family Reunification, and Detention

Sec. 1221. Procedures when encountering unaccompanied alien children.

Sec. 1222. Family reunification for unaccompanied alien children with relatives in the United States.

Sec. 1223. Appropriate conditions for detention of unaccompanied alien children.

Sec. 1224. Repatriated unaccompanied alien children.

Sec. 1225. Establishing the age of an unaccompanied alien child.

Sec. 1226. Effective date.