

Pursell	Sarpalius	Tauzin
Quillen	Saxton	Taylor (MS)
Ramstad	Schaefer	Taylor (NC)
Ravenel	Schiff	Thomas (CA)
Regula	Schroeder	Thomas (GA)
Rhodes	Schulze	Thomas (WY)
Ridge	Sensenbrenner	Torricelli
Riggs	Shaw	Traficant
Rinaldo	Shays	Upton
Ritter	Shuster	Vander Jagt
Roberts	Skeen	Vucanovich
Roe	Skelton	Walker
Roemer	Smith (NJ)	Walsh
Rogers	Smith (OR)	Weber
Rohrabacher	Smith (TX)	Weldon
Ros-Lehtinen	Solomon	Wolf
Roth	Spence	Wylie
Roukema	Stallings	Young (AK)
Rowland	Stearns	Young (FL)
Russo	Stump	Zeliff
Sabo	Sundquist	Zimmer
Santorum	Swett	

NOT VOTING—5

Bentley	Dickinson	Whitten
de la Garza	Ray	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate therein.

¶19.18 HAITIAN DEMOCRATIC RULE

The SPEAKER, pursuant to House Resolution 375 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3844) to assure the protection of Haitians in the United States or in United States custody pending the resumption of democratic rule in Haiti.

Mr. MFUME, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶19.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CONYERS:

Strike section 2.

At the end insert the following:

SEC. . TEMPORARY PROTECTED STATUS FOR HAITIANS.

(a) DESIGNATION.—During the period specified subsection (c) of this section, Haiti is hereby designated under section 244(b)(1) of the Immigration and Nationality Act (relating to temporary protected status).

(b) ELIGIBLE HAITIANS.—Any alien—

(1) who is a national of Haiti who is present in the United States, or who is in the custody or control of the United States (including on United States Government vessels, at Guantanamo Bay, Cuba, or elsewhere outside the United States) at any time during the period described in subsection (c) of this section.

(2) who meets the requirements of section 244A(c)(1)(A)(iii) of the Immigration and Nationality Act, and

(3) who, during the period described in subsection (c) of this section, registers for temporary protected status to the extent and in a manner which the Attorney General establishes,

shall be granted temporary protected status for the duration of that period and section 244(a)(1) of the Immigration and Nationality Act shall apply with respect to such alien.

(c) PERIOD OF DESIGNATION.—The designation pursuant to subsection (a) shall be in effect during the period beginning on the date of enactment of this Act and ending on the

date on which the President certifies to the Congress that democratically elected government has been restored in Haiti consistent with the Haitian Constitution. Subsections (b)(2) and (b)(3) of section 244A of the Immigration and Nationality Act do not apply with respect to the designation pursuant to subsection (a) of this section.

It was decided in the { Yeas 96
negative } Nays 304

¶19.20 [Roll No. 32]

AYES—96

Abercrombie	Hayes (IL)	Owens (UT)
Ackerman	Jacobs	Pallone
Anderson	Jefferson	Pastor
Andrews (ME)	Jones (GA)	Payne (NJ)
Atkins	Jones (NC)	Pelosi
Bennett	Jontz	Penny
Berman	Kennedy	Peterson (MN)
Blackwell	Kennelly	Rangel
Bonior	Kildee	Roe
Boxer	Kopetski	Roybal
Bustamante	Lantos	Sabo
Clay	Lehman (FL)	Sanders
Collins (IL)	Levin (MI)	Savage
Collins (MI)	Lewis (GA)	Scheuer
Conyers	Lowey (NY)	Schroeder
Coyne	Markey	Serrano
DeLums	Martinez	Sikorski
Dixon	Matsui	Smith (IA)
Downey	McDermott	Solarz
Early	McNulty	Stark
Edwards (CA)	Mfume	Stokes
Engel	Mineta	Studds
Espy	Mink	Towns
Evans	Moakley	Traxler
Fazio	Moody	Vento
Flake	Moran	Washington
Foglietta	Nagle	Waters
Ford (TN)	Neal (MA)	Weiss
Frank (MA)	Oaker	Wheat
Gedjenson	Oberstar	Wolpe
Gilman	Olver	Yates
Gonzalez	Owens (NY)	Yatron

NOES—304

Allard	Costello	Grandy
Allen	Coughlin	Green
Andrews (NJ)	Cox (CA)	Guarini
Andrews (TX)	Cox (IL)	Gunderson
Annunzio	Cramer	Hall (OH)
Anthony	Crane	Hall (TX)
Applegate	Cunningham	Hamilton
Archer	Darden	Hammerschmidt
Armey	Davis	Hancock
Aspin	DeFazio	Hansen
Bacchus	DeLauro	Harris
Baker	DeLay	Hastert
Barrett	Derrick	Hayes (LA)
Barton	Dingell	Hefley
Bateman	Donnelly	Hefner
Beilenson	Dooley	Henry
Bentley	Doolittle	Hertel
Bereuter	Dorgan (ND)	Hoagland
Bevill	Dornan (CA)	Hobson
Bilbray	Dreier	Hochbrueckner
Bilirakis	Duncan	Holloway
Billey	Durbin	Hopkins
Boehlert	Dwyer	Horn
Borski	Eckart	Horton
Boucher	Edwards (OK)	Houghton
Brewster	Edwards (TX)	Hoyer
Brooks	Emerson	Hubbard
Broomfield	English	Huckaby
Browder	Erdreich	Hughes
Brown	Ewing	Hunter
Bruce	Fascell	Hutto
Bryant	Fawell	Hyde
Bunning	Feighan	Inhofe
Burton	Fields	Ireland
Byron	Fish	James
Callahan	Franks (CT)	Jenkins
Camp	Frost	Johnson (CT)
Campbell (CA)	Gallegly	Johnson (SD)
Campbell (CO)	Gaydos	Johnson (TX)
Cardin	Gekas	Johnston
Carper	Gephardt	Kanjorski
Carr	Gibbons	Kaptur
Chapman	Gilchrest	Kasich
Clement	Gillmor	Klecicka
Clinger	Gingrich	Klug
Coble	Glickman	Kolbe
Coleman (MO)	Goodling	Kostmayer
Combest	Gordon	Kyl
Condit	Goss	LaFalce
Cooper	Gradison	Lagomarsino

Lancaster	Olin	Skaggs
LaRocco	Oxley	Skeen
Laughlin	Packard	Skelton
Leach	Panetta	Slattery
Lehman (CA)	Parker	Slaughter
Lent	Patterson	Smith (FL)
Lewis (CA)	Paxon	Smith (NJ)
Lewis (FL)	Payne (VA)	Smith (OR)
Lightfoot	Pease	Smith (TX)
Lipinski	Perkins	Snowe
Livingston	Peterson (FL)	Solomon
Lloyd	Petri	Spence
Long	Pickett	Spratt
Lowery (CA)	Pickle	Staggers
Luken	Porter	Stearns
Machtley	Poshard	Stenholm
Manton	Price	Stump
Martin	Pursell	Sundquist
Mavroules	Rahall	Sweet
Mazzoli	Ramstad	Swift
McCandless	Ravenel	Synar
McCloskey	Reed	Tanner
McCollum	Regula	Tauzin
McCrery	Rhodes	Taylor (MS)
McCurdy	Ridge	Thomas (GA)
McDade	Riggs	Thomas (WY)
McEwen	Rinaldo	Torricelli
McGrath	Ritter	Traficant
McHugh	Roberts	Unsoeld
McMillan (NC)	Roemer	Upton
McMillen (MD)	Rogers	Valentine
Meyers	Rohrabacher	Vander Jagt
Michel	Ros-Lehtinen	Visclosky
Miller (CA)	Rose	Volkmer
Miller (OH)	Roth	Vucanovich
Miller (WA)	Roukema	Walker
Molinari	Rowland	Walsh
Mollohan	Sangmeister	Waxman
Montgomery	Santorum	Weber
Moorhead	Sarpalius	Weldon
Morella	Sawyer	Williams
Morrison	Saxton	Wilson
Mrazek	Schaefer	Wise
Murphy	Schiff	Wolf
Murtha	Schulze	Wyden
Myers	Schumer	Wylie
Natcher	Sensenbrenner	Young (AK)
Neal (NC)	Sharp	Young (FL)
Nichols	Shaw	Zeliff
Nowak	Shays	Zimmer
Nussle	Shuster	
Obey	Sisisky	

NOT VOTING—34

Alexander	Ford (MI)	Richardson
AuCoin	Gallo	Rostenkowski
Ballenger	Gerren	Russo
Barnard	Hatcher	Stallings
Boehner	Herger	Tallon
Chandler	Kolter	Taylor (NC)
Coleman (TX)	Levine (CA)	Thomas (CA)
Dannemeyer	Marlenee	Thornton
de la Garza	Ortiz	Torres
Dickinson	Orton	Whitten
Dicks	Quillen	
Dymally	Ray	

So the amendment was not agreed to.

After some further time, The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. SKAGGS, assumed the Chair.

¶19.21 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶19.22 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SHAW:

At the end insert the following new section:

SEC. 7. REIMBURSEMENT FOR STATE AND LOCAL GOVERNMENT COSTS.

There are authorized to be appropriated such sums as may be necessary to reimburse

State and local governments for incremental costs associated with Haitians permitted to enter the United States under this Act.

It was decided in the affirmative } Yeas 241
 } Nays 144

19.23 [Roll No. 33]
 AYES—241

- | | | |
|---------------|---------------|---------------|
| Abercrombie | Henry | Packard |
| Allard | Hobson | Pallone |
| Allen | Hochbrueckner | Panetta |
| Andrews (ME) | Holloway | Parker |
| Andrews (NJ) | Hopkins | Pastor |
| Applegate | Horton | Paxon |
| Archer | Houghton | Payne (VA) |
| Armey | Hunter | Pease |
| Atkins | Hutto | Pelosi |
| Bacchus | Hyde | Penny |
| Baker | Inhofe | Peterson (FL) |
| Barrett | Ireland | Peterson (MN) |
| Barton | James | Porter |
| Bateman | Jefferson | Rahall |
| Bennett | Johnson (CT) | Ramstad |
| Bentley | Johnson (SD) | Ravenel |
| Bilirakis | Johnson (TX) | Regula |
| Bliley | Johnston | Ridge |
| Boehert | Jones (GA) | Riggs |
| Boucher | Jones (NC) | Rinaldo |
| Boxer | Jontz | Ritter |
| Broomfield | Kanjorski | Roe |
| Bunning | Kaptur | Rogers |
| Callahan | Kasich | Rohrabacher |
| Camp | Kennedy | Ros-Lehtinen |
| Campbell (CA) | Klug | Rose |
| Campbell (CO) | Kolbe | Roukema |
| Cardin | Kyl | Sangmeister |
| Clinger | LaFalce | Santorum |
| Coble | Lagomarsino | Sawyer |
| Coleman (MO) | Lancaster | Saxton |
| Combest | Lantos | Schaefer |
| Condit | Leach | Scheuer |
| Coughlin | Lehman (CA) | Schiff |
| Cox (CA) | Lehman (FL) | Schulze |
| Coyne | Lent | Shaw |
| Crane | Lewis (CA) | Shays |
| Cunningham | Lewis (FL) | Sikorski |
| Darden | Lightfoot | Sisisky |
| DeLauro | Lipinski | Skaggs |
| DeLay | Livingston | Skeen |
| Dellums | Long | Smith (FL) |
| Dixon | Lowery (CA) | Smith (NJ) |
| Donnelly | Lowey (NY) | Smith (TX) |
| Dooley | Machtley | Snowe |
| Doolittle | Martin | Solomon |
| Dornan (CA) | Martinez | Spence |
| Downey | Mavroules | Stearns |
| Dreier | McCandless | Stenholm |
| Duncan | McCollum | Studds |
| Dwyer | McCrery | Stump |
| Edwards (OK) | McDermott | Sundquist |
| Emerson | McEwen | Swett |
| English | McGrath | Swift |
| Fascell | McHugh | Tanner |
| Fawell | McMillan (NC) | Thomas (WY) |
| Fazio | McMillen (MD) | Torricelli |
| Fields | Mfume | Traxler |
| Fish | Michel | Unsoeld |
| Ford (TN) | Miller (OH) | Upton |
| Franks (CT) | Miller (WA) | Vander Jagt |
| Gallegly | Mink | Vento |
| Gejdenson | Moakley | Volkmer |
| Gekas | Molinari | Vucanovich |
| Gibbons | Mollohan | Walker |
| Gilchrist | Montgomery | Walsh |
| Gillmor | Moody | Waters |
| Gilman | Moorhead | Weber |
| Goodling | Moran | Weldon |
| Goss | Morrison | Wise |
| Gradison | Mrazek | Wolf |
| Grandy | Murtha | Wolpe |
| Green | Myers | Wyden |
| Guarini | Nagle | Wylie |
| Gunderson | Neal (MA) | Yatron |
| Hall (TX) | Nowak | Young (AK) |
| Hammerschmidt | Nussle | Young (FL) |
| Hancock | Oberstar | Zeliff |
| Hansen | Olin | Zimmer |
| Hastert | Olver | |
| Hefley | Oxley | |

NOES—144

- | | | |
|--------------|-----------|------------|
| Ackerman | Bevill | Browder |
| Anderson | Bilbray | Brown |
| Andrews (TX) | Blackwell | Bruce |
| Anunzio | Bonior | Bryant |
| Beilenson | Borski | Bustamante |
| Bereuter | Brewster | Byron |
| Berman | Brooks | Carper |

- | | | |
|--------------|-------------|---------------|
| Carr | Hertel | Price |
| Chapman | Hoagland | Pursell |
| Clay | Horn | Rangel |
| Clement | Hubbard | Reed |
| Collins (IL) | Huckaby | Roberts |
| Collins (MI) | Hughes | Roemer |
| Conyers | Jacobs | Roth |
| Cooper | Jenkins | Rowland |
| Costello | Kennelly | Roybal |
| Cox (IL) | Kildee | Sabo |
| Cramer | Kopetski | Sanders |
| DeFazio | Kostmayer | Sarpaluis |
| Derrick | LaRocco | Savage |
| Dingell | Levin (MI) | Schroeder |
| Dorgan (ND) | Lewis (GA) | Schumer |
| Durbin | Luken | Sensenbrenner |
| Early | Manton | Serrano |
| Eckart | Markey | Sharp |
| Edwards (CA) | Matsui | Shuster |
| Edwards (TX) | Mazzoli | Skelton |
| Engel | McCloskey | Slattery |
| Erdreich | McCurdy | Slaughter |
| Espy | McNulty | Smith (IA) |
| Evans | Meyers | Solarz |
| Ewing | Miller (CA) | Spratt |
| Feighan | Mineta | Staggers |
| Flake | Morella | Stokes |
| Foglietta | Murphy | Synar |
| Frank (MA) | Natcher | Tauzin |
| Frost | Nichols | Taylor (MS) |
| Gaydos | Oakar | Thomas (GA) |
| Gephardt | Obey | Towns |
| Glickman | Owens (NY) | Trafiacant |
| Gonzalez | Owens (UT) | Valentine |
| Gordon | Patterson | Visclosky |
| Hall (OH) | Payne (NJ) | Washington |
| Hamilton | Perkins | Waxman |
| Harris | Petri | Weiss |
| Hayes (IL) | Pickett | Wheat |
| Hayes (LA) | Pickle | Wilson |
| Hefner | Poshard | Yates |

NOT VOTING—49

- | | | |
|--------------|-------------|--------------|
| Alexander | Gallo | Ray |
| Anthony | Geren | Rhodes |
| Aspin | Gingrich | Richardson |
| AuCoin | Hatcher | Rostenkowski |
| Ballenger | Herger | Russo |
| Barnard | Hoyer | Smith (OR) |
| Boehner | Kleczka | Stallings |
| Burton | Kolter | Stark |
| Chandler | Laughlin | Tallon |
| Coleman (TX) | Levine (CA) | Taylor (NC) |
| Dannemeyer | Lloyd | Thomas (CA) |
| Davis | Marlenee | Thornton |
| de la Garza | McDade | Torres |
| Dickinson | Neal (NC) | Whitten |
| Dicks | Ortiz | Williams |
| Dymally | Orton | |
| Ford (MI) | Quillen | |

So the amendment was agreed to.

After some further time, THE SPEAKER pro tempore, Mr. MCNULTY, assumed the Chair.

When Mr. MFUME, Chairman, pursuant to House Resolution 375, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haitian Refugee Protection Act of 1992".

SEC. 2. PROTECTION OF HAITIANS IN UNITED STATES CUSTODY.

The President shall provide that no Haitian in the custody or control of the United States as of February 5, 1992, whether on board United States Government vessels, at Guantanamo Bay, Cuba, or elsewhere, outside the United States will be involuntarily returned to Haiti until—

(1) 180 days after the date of the enactment of this Act, or

(2) 5 days after the date of submission of the final report under section 3(c), whichever occurs later.

SEC. 3. DEPARTMENT OF STATE STUDY AND REPORT.

(a) STUDY OF HAITIANS RETURNED TO HAITI.—The Assistant Secretary of State for Human Rights and Humanitarian Affairs, in conjunction with the United States Coordinator for Refugee Affairs, shall conduct a study concerning Haitians who were interdicted or rescued by United States Government vessels after September 29, 1991, and were returned to Haiti and concerning Haitians who were deported from the United States after such date. Such study shall assess their condition and circumstances in Haiti after their return, with particular attention to any violations of fundamental human rights.

(b) PARTICIPATION OF HUMAN RIGHTS ORGANIZATIONS.—In conducting such study the Assistant Secretary of State for Human Rights and Humanitarian Affairs shall use the resources, information, and expertise of internationally-recognized human rights organizations and such other sources as may be appropriate.

(c) CONGRESSIONAL REPORTS.—The Assistant Secretary of State for Human Rights and Humanitarian Affairs shall prepare and submit to the Speaker of the House of Representatives and the President of the Senate a detailed preliminary report of the findings of the study under subsection (a) not later than 90 days after the date of the enactment of this Act, and a final report not later than 180 days after the date of the enactment of this Act.

(d) CONGRESSIONAL INQUIRIES.—The Assistant Secretary of State for Human Rights and Humanitarian Affairs shall respond not later than 7 working days after receipt of a written request of a Member of Congress for information concerning the study or reports under this section.

SEC. 4. REALLOCATION OF 2,000 FEDERALLY FUNDED REFUGEE ADMISSIONS DURING FISCAL YEAR 1992 TO HAITI.

(a) IN GENERAL.—The President shall change the allocation of refugee admissions for fiscal year 1992 provided in Presidential Determination 92-2 (pursuant to section 207(a)(3) of the Immigration and Nationality Act) so as to provide for an allocation of at least 2,000 Federally funded refugee admissions to Haitian refugees of special humanitarian concern.

(b) USE OF CURRENT FEDERALLY FUNDED REFUGEE ADMISSIONS.—In changing the allocation of refugee admissions during fiscal year 1992 pursuant to subsection (a)—

(1) the total number of such refugee admissions shall remain the same;

(2) the 1,000 refugee admissions allocated to the category "Unallocated (funded)" shall be reallocated to refugees described in subsection (a); and

(3) the remainder of the refugee admissions reallocated under subsection (a) shall come from such other category (or categories) as the President specifies.

SEC. 5. CONGRESSIONAL STATEMENT.

The Congress urges the President and the Secretary of State to participate actively with the United Nations High Commissioner for Refugees and the governments of the member countries of the Organization of American States (OAS) in the convening of an international conference on Haitian refugees and displaced persons which seeks to adopt a comprehensive program of action to solve the Haitian refugee crisis in all its aspects, taking into account the concerns of all interested parties and the rights and welfare of Haitian refugees and displaced persons.

SEC. 6. CERTAIN HAITIANS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION.

(a) EXCLUSION.—During the period specified in subsection (c), an alien designated under