

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-Lehntinen |
| Campbell (CA) | Klug          | Rose          |
| Campbell (CO) | Kolbe         | Roukema       |
| Cardin        | Kyl           | Sangmeister   |
| Clinger       | LaFalce       | Santorum      |
| Coble         | Lagomarsino   | Sawyer        |
| Coleman (MO)  | Lancaster     | Saxton        |
| Combust       | 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        | Sweet         |
| 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)  | Trafficant    |
| 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

subsection (b) shall be ineligible to receive any visa and shall be excluded from admission into the United States.

(b) DESIGNATED ALIEN.—An alien designated under this subsection is any alien who—

- (1) is a national of Haiti; and
- (2)(A) provided financial or other material support for, or directly assisted, the military coup of September 30, 1991, which overthrew the democratically-elected Haitian Government of President Jean-Bertrand Aristide; or
- (B) provided financial or other material support for, or directly participated in, terrorist acts against the Haitian people after that coup.

(c) PERIOD OF EXCLUSION.—The period of exclusion specified in this subsection begins on the date of the enactment of this Act and ends 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.

**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.

**SEC. 8. SENSE OF CONGRESS.**

The Congress urges the President and the Attorney General to take all appropriate actions to ensure that no State is impacted, disproportionately, with respect to the provision of services for Haitian refugees and displaced persons entering the United States.

**SEC. 9. SENSE OF CONGRESS.**

It is the sense of the Congress that the President, in conjunction with the legitimate democratically-elected government of Haiti, should urge the United Nations Security Council and, as appropriate, the Organization of American States—

- (1) to dispatch a peacekeeping force to Haiti—
- (A) to provide security for human rights monitors,
- (B) to provide protection for Haitians repatriated from abroad, and
- (C) to assist in establishing a climate of security in Haiti in which the rights of all persons will be respected; and
- (2) to send human rights monitors to Haiti, under the aegis of an appropriate international human rights organization such as the United Nations Human Rights Commission or the Inter-American Human Rights Commission, to assess and report to the international community concerning internationally-recognized human rights in Haiti.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,  
Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. MCCOLLUM demanded a recorded vote on passage of said bill which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the  
affirmative ..... { Yeas ..... 217  
Nays ..... 165

¶19.24 [Roll No. 34]  
AYES—217

Abercrombie	Andrews (ME)	Annunzio
Ackerman	Andrews (NJ)	Anthony
Anderson	Andrews (TX)	Atkins

Bacchus	Hochbrueckner	Panetta	Lent	Paxon	Smith (TX)
Bennett	Horn	Pastor	Lewis (CA)	Pease	Snowe
Berman	Hubbard	Payne (NJ)	Lewis (FL)	Petri	Solomon
Bilbray	Huckaby	Payne (VA)	Lightfoot	Pickett	Spence
Blackwell	Hughes	Pelosi	Lipinski	Porter	Stearns
Bonior	Hunter	Penny	Livingston	Pursell	Stenholm
Borski	Hyde	Perkins	Lowery (CA)	Ramstad	Stump
Boxer	Jacobs	Peterson (FL)	Martin	Ravenel	Sundquist
Brooks	Jefferson	Pickle	McCandless	Regula	Tanner
Brown	Jenkins	Poshard	McCollum	Ridge	Tauzin
Bruce	Johnson (CT)	Price	McCrery	Ritter	Taylor (MS)
Bryant	Johnson (SD)	Rahall	McEwen	Roberts	Thomas (GA)
Bustamante	Jones (GA)	Rangel	McGrath	Rogers	Thomas (WY)
Cardin	Jones (NC)	Reed	McMillan (NC)	Roth	Upton
Carper	Jontz	Riggs	Meyers	Roukema	Valentine
Clay	Kaptur	Rinaldo	Michel	Sangmeister	Vander Jagt
Clement	Kennedy	Roe	Miller (OH)	Santorum	Volkmer
Collins (IL)	Kennelly	Roemer	Molinari	Saxton	Vucanovich
Collins (MI)	Kildee	Rohrabacher	Montgomery	Schaefer	Walker
Condit	Kopetski	Ros-Lehtinen	Moorhead	Schiff	Walsh
Conyers	Kostmayer	Roybal	Myers	Schulze	Weldon
Cooper	LaFalce	Sabo	Nichols	Sensenbrenner	Wolf
Costello	Lancaster	Sanders	Nussle	Shaw	Wylie
Cox (IL)	Lantos	Savage	Oxley	Shays	Young (AK)
Coyne	LaRocco	Sawyer	Packard	Shuster	Young (FL)
DeFazio	Lehman (CA)	Scheuer	Parker	Skeen	Zeliff
DeLauro	Lehman (FL)	Schroeder	Patterson	Skelton	Zimmer
Dellums	Levin (MI)	Schumer			
Derrick	Lewis (GA)	Serrano	Alexander	Geran	Quillen
Dingell	Long	Sharp	Aspin	Gingrich	Ray
Dixon	Lowe (NY)	Sikorski	AuCoin	Hatcher	Rhodes
Donnelly	Luken	Sisisky	Ballenger	Herger	Richardson
Dooley	Machtley	Skaggs	Barnard	Hoyer	Rostenkowski
Dorgan (ND)	Manton	Slattery	Boehner	Johnston	Rowland
Dornan (CA)	Markey	Slaughter	Burton	Kleczka	Russo
Downey	Martinez	Smith (FL)	Chandler	Kolter	Sarpalius
Durbin	Matsui	Smith (IA)	Coleman (TX)	Laughlin	Smith (OR)
Dwyer	Mavroules	Smith (NJ)	Dannemeyer	Levine (CA)	Stallings
Early	Mazzoli	Solarz	Davis	Lloyd	Tallon
Eckart	McCluskey	Spratt	de la Garza	Marlenee	Taylor (NC)
Edwards (CA)	McCurdy	Staggers	Dickinson	McDade	Thomas (CA)
Edwards (TX)	McDermott	Stark	Dicks	Moakley	Torres
Engel	McHugh	Stokes	Dymally	Murphy	Whitten
Espy	McMillen (MD)	Studds	Foglietta	Ortiz	Williams
Evans	McNulty	Swett	Ford (MI)	Orton	
Fascell	Mfume	Swift	Gallo	Peterson (MN)	
Fawell	Miller (CA)	Synar			
Fazio	Miller (WA)	Thornton			
Feighan	Mineta	Torricelli			
Fish	Mink	Towns			
Flake	Mollohan	Traficant			
Ford (TN)	Moody	Traxler			
Frank (MA)	Moran	Unsoeld			
Frost	Morella	Vento			
Gejdenson	Morrison	Visclosky			
Gephardt	Mrazek	Washington			
Gibbons	Murtha	Waters			
Gilman	Nagle	Waxman			
Glickman	Natcher	Weber			
Gonzalez	Neal (MA)	Weiss			
Gordon	Neal (NC)	Wheat			
Green	Nowak	Wilson			
Guarini	Oakar	Wise			
Hall (OH)	Oberstar	Wolpe			
Hamilton	Obey	Wyden			
Hayes (IL)	Olin	Yates			
Hayes (LA)	Olver	Yatron			
Hefner	Owens (NY)				
Hertel	Owens (UT)				
Hoagland	Pallone				

NOES—165

Allard	Clinger	Gradison
Allen	Coble	Grandy
Applegate	Coleman (MO)	Gunderson
Archer	Combest	Hall (TX)
Armye	Coughlin	Hammerschmidt
Baker	Cox (CA)	Hancock
Barrett	Cramer	Hansen
Barton	Crane	Harris
Bateman	Cunningham	Hastert
Beilenson	Darden	Hefley
Bentley	DeLay	Henry
Bereuter	Doolittle	Hobson
Bevill	Dreier	Holloway
Bilirakis	Duncan	Hopkins
Bliley	Edwards (OK)	Horton
Boehlert	Emerson	Houghton
Boucher	English	Hutto
Brewster	Erdreich	Inhofe
Broomfield	Ewing	Ireland
Browder	Fields	James
Bunning	Franks (CT)	Johnson (TX)
Byron	Galleghy	Kanjorski
Callahan	Gaydos	Kasich
Camp	Gekas	Klug
Campbell (CA)	Gilchrest	Kolbe
Campbell (CO)	Gillmor	Kyl
Carr	Gooling	Lagomarsino
Chapman	Goss	Leach

NOT VOTING—52

Alexander	Geran	Quillen
Aspin	Gingrich	Ray
AuCoin	Hatcher	Rhodes
Ballenger	Herger	Richardson
Barnard	Hoyer	Rostenkowski
Boehner	Johnston	Rowland
Burton	Kleczka	Russo
Chandler	Kolter	Sarpalius
Coleman (TX)	Laughlin	Smith (OR)
Dannemeyer	Levine (CA)	Stallings
Davis	Lloyd	Tallon
de la Garza	Marlenee	Taylor (NC)
Dickinson	McDade	Thomas (CA)
Dicks	Moakley	Torres
Dymally	Murphy	Whitten
Foglietta	Ortiz	Williams
Ford (MI)	Orton	
Gallo	Peterson (MN)	

So the bill was passed.

By unanimous consent, the title was amended so as to read: "An Act to assure the protection of certain Haitians in the custody of the United States, and for other purposes."

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶19.25 MESSAGE FROM THE PRESIDENT—  
TRADE POLICY AND AGREEMENTS

The SPEAKER pro tempore, Mr. MCNULTY, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

In accordance with the provisions of section 163 of the Trade Act of 1974, as amended (19 U.S.C. 2213), I transmit herewith the 1992 Trade Policy Agenda and 1991 Annual Report on the Trade Agreements Program.

GEORGE BUSH.

THE WHITE HOUSE, February 27, 1992.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means.

¶19.26 ADJOURNMENT OVER

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12 o'clock on Monday, March 2, 1992.