

Table with 3 columns of names: Meehan, Meek, Menendez, Meyers, Miller (CA), Minge, Mink, Molinari, Mollohan, Moran, Murtha, Nadler, Neal, Ney, Oberstar, Obey, Oliver, Ortiz, Orton, Owens, Oxley, Pallone, Pastor, Payne (NJ), Pelosi, Peterson (MN), Petri, Pomeroy, Porter, Portman, Poshard, Quinn, Rahall, Ramstad, Rangel, Reed, Regula, Richardson, Rivers, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Roybal-Allard, Royce, Rush, Sabo, Sanders, Sawyer, Scarborough, Schiff, Schroeder, Schumer, Scott, Sensenbrenner, Serrano, Shaw, Shays, Skaggs, Skeen, Slaughter, Smith (NJ), Smith (TX), Stenholm, Stockman, Studts, Stupak, Talent, Tate, Taylor (MS), Tejeda, Thompson, Thornton, Thurman, Torkildsen, Torres, Torricelli, Towns, Traficant, Velazquez, Vento, Visclosky, Volkmer, Waldholtz, Wamp, Ward, Watt (NC), Waxman, Weldon (FL), Weldon (PA), Williams, Wilson, Wise, Woolsey, Wynn, Yates, Zimmer

NOT VOTING—9

Table with 3 columns of names: Clay, Collins (IL), Hayes, Johnston, Moakley, Radanovich, Stark, Stokes, Waters

So the amendment, as amended, was not agreed to. After some further time,

32.19 RECORDED VOTE

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

After section 810, insert the following new section (and conform the table of contents accordingly):

SEC. 811. CHANGES IN THE H-2A PROGRAM.

(a) PLACING RESPONSIBILITY FOR CERTIFICATION WITHIN THE INS.—Section 218 (8 U.S.C. 1188) is amended—

(1) by striking "Secretary of Labor" and "Secretary" each place either appears (other than in subsections (b)(2)(A), (c)(4), and (g)(2)) and inserting "Attorney General"; and (2) by amending paragraph (3) of subsection (g) to read as follows:

"(3) There are authorized to be appropriated for each fiscal year such sums as may be necessary for the purpose of enabling the Attorney General and the Secretary of Labor to make determinations and certifications under this section and of enabling the Secretary of Labor to make determinations and certifications under section 212(a)(5)(A)(i)."

(b) REDUCTION IN TIME REQUIRED FOR POSITIVE RECRUITMENT.—Section 218 (8 U.S.C. 1188) is amended—

(1) in subsection (b)(4), by adding at the end the following: "The employer shall not be required to engage in positive recruitment for more than 20 days.", and (2) in subsection (c)(1), by striking "60 days" and inserting "40 days".

(c) ELIMINATION OF 50 PERCENT RULE.—Section 218 (8 U.S.C. 1188(c)(3)) is amended by amending subparagraph (B) to read as follows:

"(B) An employer is not required, in order for its labor certification to remain effective, to provide employment to United States workers who apply for employment after the end of the required period of positive recruitment."

(d) PERMITTING HOUSING ALLOWANCE.—Section 218(c)(4) (8 U.S.C. 1188(c)(4)) is amended by inserting "(A)" after "." and by adding at the end the following:

"(B) In lieu of offering housing under subparagraph (A), an employer may provide a reasonable housing allowance, but only if housing is reasonably available in the area of employment."

(e) MODIFIED 3/4 RULE.—Section 218(c)(3) (8 U.S.C. 1188(c)(3)) is amended by adding at the end the following new subparagraph:

"(C) An employer, in order for its labor certification to remain effective, shall guarantee to offer an H-2A worker at least 8 hours of employment in each of at least 3/4 of the workdays in which the task (or tasks) for which the H-2A worker was hired to perform are being performed. The employer is not required to guarantee to offer an H-2A worker employment in any portion of the total periods during which the work contract and all extensions thereof are in effect.

(f) CAP.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended)

(1) by striking "or" at the end of subparagraph (A),

(2) by redesignating subparagraph (B) as subparagraph (C), and

(3) by inserting after subparagraph (A) the following new subparagraph:

"(B) under section 101(a)(15)(H)(ii)(a) may not exceed 100,000, or"

(g) EFFECTIVE DATE.—The H-2A amendments made by this section shall apply to applications for certification filed on or after October 1, 1996, and to fiscal years beginning on or after such date.

It was decided in the { Yeas ..... 59 negative ..... Nays ..... 357

32.20 [Roll No. 86] AYES—59

Table with 3 columns of names: Allard, Andrews, Archer, Bartlett, Barton, Bateman, Bilbray, Bilirakis, Bliley, Boucher, Brownback, Bryant (TN), Campbell, Clinger, Combust, Davis, Ehrlich, Ensign, Fields (TX), Foley, Fowler, Frelinghuysen, Gekas, Geren, Goodlatte, Gunderson, Gutknecht, Hefley, Hostettler, Houghton, Hutchinson, Johnson, Sam, Kingston, Latham, Linder, McCollum, Moran, Myers, Myrick, Ney, Oxley, Parker, Quillen, Ramstad, Rogers, Roukema, Saxton, Schaefer, Shaw, Smith (MI), Smith (TX), Stearns, Stenholm, Tauzin, Taylor (NC), Thomas, Wicker, Young (AK), Young (FL)

NOES—357

Table with 3 columns of names: Abercrombie, Ackerman, Arney, Bachus, Baesler, Baker (CA), Baker (LA), Baldacci, Ballenger, Barcia, Barrett (NE), Barrett (WI), Bass, Becerra, Beilenson, Bentsen, Bereuter, Berman, Beville, Bishop, Blute, Boehlert, Boehner, Bonilla, Bonior, Bono, Borski, Brewster, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant (TX), Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cardin, Castle, Chabot, Chambliss, Chapman, Chenoweth, Christensen, Chrysler, Clayton, Clement, Clyburn, Coble, Coburn, Coleman, Collins (GA), Collins (MI), Condit, Conyers, Cooley, Costello, Cox, Coyne, Cramer, Crane, Crapo, Cremeans, Cubin, Cunningham, Danner, de la Garza, Deal, Defazio, DeLauro, Dellums, Deutsch, Diaz-Balart, Dickey, Dingell, Dixon, Doggett, Dooley, Doolittle, Dorman, Doyle, Dreier, Duncan, Dunn, Durbin, Edwards, Ehlers, Emerson, Engel, English, Eshoo, Evans, Everett, Ewing, Farr, Heine, Heine, Herger, Hilleary, Hilliard, Hinchey, Hobson, Hoekstra, Hoke, Holden, Horn, Hoyer, Hunter, Hyde, Inglis, Istook, Jackson (IL), Jackson-Lee (TX), Jacobs, Jefferson, Johnson (CT), Johnson (SD), Johnson, E.B., Jones, Kanjorski, Kaptur, Kasich, Kelly, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kim, King, Kleczka, Klink, Klug, Knollenberg, Kolbe, LaFalce, LaHood, Miller (CA), Miller (FL), Minge, Mink, Molinari, Mollohan, Montgomery, Moorhead, Morella, Murtha, Nadler, Neal, Nethercutt, Neumann, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Orton, Owens, Packard, Pallone, Pastor, Paxon, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Peterson (MN), Petri, Pickett, Pombo, Pomeroy, Porter, Portman, Poshard, Pryce, Quinn, Rahall, Rangel, Stark, Stokes, Studts, Waters, Wilson

Table with 3 columns of names: Fattah, Fawell, Fazio, Fields (LA), Filner, Flake, Flanagan, Foglietta, Forbes, Ford, Fox, Frank (MA), Franks (CT), Franks (NJ), Frisa, Frost, Funderburk, Furse, Gallegly, Ganske, Gejdenson, Gephardt, Gibbons, Manzanillo, Gilchrest, Gillmor, Gilman, Gonzalez, Goodling, Gordon, Goss, Graham, Green, Greenwood, Gutierrez, Hall (OH), Hall (TX), Hamilton, Hancock, Hansen, Harman, Hastert, Hastings (FL), Hastings (WA), Hayes, Hayworth, Hefner, Heineman, Herger, Hilleary, Hilliard, Hinchey, Hobson, Hoekstra, Hoke, Holden, Horn, Hoyer, Hunter, Hyde, Inglis, Istook, Jackson (IL), Jackson-Lee (TX), Jacobs, Jefferson, Johnson (CT), Johnson (SD), Johnson, E.B., Jones, Kanjorski, Kaptur, Kasich, Kelly, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kim, King, Kleczka, Klink, Klug, Knollenberg, Kolbe, LaFalce, LaHood, Lantos, Largent, LaTourette, Laughlin, Lazio, Leach, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Lightfoot, Lincoln, Lipinski, Livingston, LoBiondo, Lofgren, Longley, Lowey, Lucas, Luther, Maloney, Manton, Manzanillo, Markey, Martinez, Martini, Mascara, Matsui, McCarthy, McCrery, McDade, McDermott, McHale, McHugh, McInnis, McIntosh, McKeon, McKinney, McNulty, Meehan, Meek, Menendez, Metcalf, Meyers, Mica, Miller (CA), Miller (FL), Minge, Mink, Molinari, Mollohan, Montgomery, Moorhead, Morella, Murtha, Nadler, Neal, Nethercutt, Neumann, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Orton, Owens, Packard, Pallone, Pastor, Paxon, Payne (NJ), Payne (VA), Pelosi, Peterson (FL), Peterson (MN), Petri, Pickett, Pombo, Pomeroy, Porter, Portman, Poshard, Pryce, Quinn, Rahall, Rangel, Reed, Regula, Richardson, Riggs, Rivers, Roberts, Roemer, Rohrabacher, Ros-Lehtinen, Roth, Roybal-Allard, Royce, Rush, Sabo, Salmon, Sanders, Sanford, Sawyer, Scarborough, Schiff, Schroeder, Schumer, Scott, Seastrand, Sensenbrenner, Serrano, Shadegg, Shays, Shuster, Sisisky, Skaggs, Skeen, Skelton, Slaughter, Smith (NJ), Smith (WA), Solomon, Souder, Spence, Spratt, Stockman, Stump, Stupak, Talent, Tanner, Tate, Taylor (MS), Tejeda, Thompson, Thornberry, Thornton, Thurman, Tiahrt, Torkildsen, Torres, Torricelli, Towns, Traficant, Upton, Velazquez, Vento, Visclosky, Volkmer, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Ward, Watt (NC), Watts (OK), Waxman, Weldon (FL), Weldon (PA), Weller, White, Whitfield, Williams, Wise, Wolf, Woolsey, Wynn, Yates, Zeliff, Zimmer

NOT VOTING—15

Table with 3 columns of names: Barr, Bunn, Clay, Collins (IL), DeLay, Dicks, Johnston, Moakley, Radanovich, Rose, Stark, Stokes, Studts, Waters, Wilson

So the amendment was not agreed to.

32.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the