

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, Bevill, 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, Heineken, 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, Pryce, Quinn, Rahall, Rangel, Tate, Taylor (MS), 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

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, 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, 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, Manzullo, 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, 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

Whole on the following amendment submitted by Mr. BURR:

At the end of subtitle B of title VIII insert the following new section:

SEC. 837. EXTENSION OF H-1A VISA PROGRAM FOR NON-IMMIGRANT NURSES.

Effective as if included in the enactment of the Immigration Nursing Relief Act of 1989 (Public Law 101-238), section 3(d) of such Act (103 Stat. 2103) is amended—

- (1) by striking "To 5-YEAR PERIOD",
- (2) by striking "5-year", and
- (3) by inserting "and ending at the end of the 6-month period beginning on the date of the enactment of the Immigration in the National Interest Act of 1995" after "Act".

It was decided in the { Yeas 154
negative } Nays 262

¶32.22 [Roll No. 87]
AYES—154

Abercrombie	Funderburk	Mink
Allard	Gekas	Moorhead
Archer	Geren	Myers
Armey	Gilchrest	Myrick
Baker (CA)	Goodlatte	Nethercutt
Baker (LA)	Goss	Norwood
Ballenger	Graham	Nussle
Barr	Gunderson	Ortiz
Barrett (NE)	Gutknecht	Oxley
Bartlett	Hall (OH)	Packard
Barton	Hall (TX)	Parker
Bevill	Hancock	Payne (VA)
Bilbray	Hansen	Pickett
Bliley	Hastert	Pombo
Boehner	Hastings (WA)	Portman
Boucher	Hayes	Quillen
Brewster	Hayworth	Riggs
Brownback	Hefley	Roberts
Bryant (TN)	Herger	Rogers
Bunn	Hilleary	Rush
Bunning	Hoekstra	Salmon
Burr	Hoke	Sanford
Burton	Horn	Schaefer
Buyer	Hostettler	Schiff
Camp	Hunter	Seastrand
Campbell	Hutchinson	Shadegg
Canady	Hyde	Shuster
Chambliss	Inglis	Skeen
Christensen	Jones	Smith (MI)
Chrysler	Kaptur	Smith (TX)
Clement	Kelly	Solomon
Clinger	Kim	Souder
Coble	Klug	Stenholm
Coburn	Knollenberg	Stockman
Collins (GA)	Kolbe	Stump
Combust	LaHood	Tanner
Crane	Largent	Tauzin
Crapo	Latham	Taylor (NC)
Creameans	Laughlin	Tejeda
Cubin	Lewis (CA)	Thornberry
de la Garza	Lewis (KY)	Torkildsen
Deal	Lincoln	Upton
Dickey	Linder	Vucanovich
Doollittle	Livingston	Walker
Dornan	Lucas	Wamp
Dreier	McCollum	Weldon (FL)
Durbin	McCrery	White
Ewing	McInnis	Wicker
Fawell	McIntosh	Young (AK)
Fields (TX)	McKeon	Zeliff
Foley	Mica	
Fowler	Miller (FL)	

NOES—262

Ackerman	Browder	Coyne
Andrews	Brown (CA)	Cramer
Bachus	Brown (FL)	Cunningham
Baesler	Brown (OH)	Danner
Baldacci	Bryant (TX)	Davis
Barcia	Callahan	DeFazio
Barrett (WI)	Calvert	DeLauro
Bass	Cardin	Dellums
Bateman	Castle	Deutsch
Becerra	Chabot	Diaz-Balart
Bentsen	Chapman	Dicks
Bereuter	Chenoweth	Dingell
Berman	Clayton	Dixon
Bilirakis	Clyburn	Doggett
Bishop	Coleman	Dooley
Blute	Collins (MI)	Doyle
Boehlert	Condit	Duncan
Bonilla	Conyers	Dunn
Bonior	Cooley	Edwards
Bono	Costello	Ehlers
Borski	Cox	Ehrlich

Emerson	Klink	Rangel
Engel	LaFalce	Reed
English	Lantos	Regula
Ensign	LaTourrette	Richardson
Eshoo	Lazio	Rivers
Evans	Leach	Roemer
Everett	Levin	Rohrabacher
Farr	Lewis (GA)	Ros-Lehtinen
Fattah	Lightfoot	Roth
Fazio	Lipinski	Roukema
Fields (LA)	LoBiondo	Roybal-Allard
Filner	Lofgren	Royce
Flake	Longley	Sabo
Flanagan	Lowe	Sanders
Foglietta	Luther	Sawyer
Forbes	Maloney	Saxton
Ford	Manton	Scarborough
Fox	Manzullo	Schroeder
Frank (MA)	Markey	Schumer
Franks (CT)	Martinez	Scott
Franks (NJ)	Martini	Sensenbrenner
Frelinghuysen	Mascara	Serrano
Frisa	Matsui	Shaw
Frost	McCarthy	Shays
Furse	McDade	Sisisky
Gallegly	McDermott	Skaggs
Ganske	McHale	Skelton
Gejdenson	McHugh	Slaughter
Gephardt	McKinney	Smith (NJ)
Gibbons	McNulty	Smith (WA)
Gillmor	Meehan	Spratt
Gilman	Meek	Stearns
Gonzalez	Menendez	Stupak
Goodling	Metcalf	Talent
Gordon	Meyers	Tate
Green	Miller (CA)	Taylor (MS)
Greenwood	Minge	Thomas
Gutierrez	Molinari	Thompson
Hamilton	Mollohan	Thornton
Harman	Montgomery	Thurman
Hastings (FL)	Moran	Tiahrt
Hefner	Morella	Torres
Heineman	Murtha	Torricelli
Hilliard	Nadler	Towns
Hinche	Neal	Traficant
Hobson	Neumann	Velazquez
Holden	Ney	Vento
Houghton	Oberstar	Visclosky
Hoyer	Obey	Volkmer
Istook	Olver	Waldholtz
Jackson (IL)	Orton	Walsh
Jackson-Lee	Owens	Ward
(TX)	Pallone	Watt (NC)
Jacobs	Pastor	Watts (OK)
Jefferson	Paxon	Waxman
Johnson (CT)	Payne (NJ)	Weldon (PA)
Johnson, E. B.	Pelosi	Weller
Johnson, Sam	Peterson (FL)	Whitfield
Kanjorski	Peterson (MN)	Williams
Kasich	Petri	Wise
Kennedy (MA)	Pomeroy	Wolf
Kennedy (RI)	Porter	Woolsey
Kennelly	Poshard	Wynn
Kildee	Pryce	Yates
King	Quinn	Young (FL)
Kingston	Rahall	Zimmer
Klecza	Ramstad	

NOT VOTING—15

Beilenson	Johnston	Stark
Clay	Moakley	Stokes
Collins (IL)	Radanovich	Studds
DeLay	Rose	Waters
Johnson (SD)	Spence	Wilson

So the amendment was not agreed to.

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

When Mr. BONILLA, Chairman, pursuant to House Resolution 384, 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:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Immigration in the National Interest Act of 1996".

(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Except as otherwise specifically provided—

(1) whenever in this Act an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Immigration and Nationality Act, and

(2) amendments to a section or other provision are to such section or other provision as in effect on the date of the enactment of this Act and before any amendment made to such section or other provision elsewhere in this Act.

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

Sec. 1. Short title; amendments to Immigration and Nationality Act; table of contents.

TITLE I—DETERRENCE OF ILLEGAL IMMIGRATION THROUGH IMPROVED BORDER ENFORCEMENT, PILOT PROGRAMS, AND INTERIOR ENFORCEMENT

Subtitle A—Improved Enforcement at Border

Sec. 101. Border patrol agents and support personnel.

Sec. 102. Improvement of barriers at border.

Sec. 103. Improved border equipment and technology.

Sec. 104. Improvement in border crossing identification card.

Sec. 105. Civil penalties for illegal entry.

Sec. 106. Prosecution of aliens repeatedly re-entering the United States unlawfully.

Sec. 107. Inservice training for the border patrol.

Sec. 108. Report.

Subtitle B—Pilot Programs

Sec. 111. Pilot program on interior repatriation.

Sec. 112. Pilot program on use of closed military bases for the detention of inadmissible or deportable aliens.

Sec. 113. Pilot program to collect records of departing passengers.

Subtitle C—Interior Enforcement

Sec. 121. Increase in personnel for interior enforcement.

Sec. 122. Acceptance of state services to carry out deportation functions.

TITLE II—ENHANCED ENFORCEMENT AND PENALTIES AGAINST ALIEN SMUGGLING; DOCUMENT FRAUD

Subtitle A—Enhanced Enforcement and Penalties Against Alien Smuggling

Sec. 201. Wiretap authority for alien smuggling investigations.

Sec. 202. Racketeering offenses relating to alien smuggling.

Sec. 203. Increased criminal penalties for alien smuggling.

Sec. 204. Increased number of Assistant United States Attorneys.

Sec. 205. Undercover investigation authority.

Subtitle B—Deterrence of Document Fraud

Sec. 211. Increased criminal penalties for fraudulent use of government-issued documents.

Sec. 212. New civil penalties for document fraud.

Sec. 213. New civil penalty for failure to present documents and for preparing immigration documents without authorization.