

□ 1426

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to redesignate the United States courthouse located at 100 Franklin Street in Dublin, Georgia, as the 'J. Roy Rowland United States Courthouse'."

A motion to reconsider was laid on the table.

DAVID W. DYER FEDERAL COURTHOUSE

The SPEAKER pro tempore. The unfinished business is the question de novo of suspending the rules and passing the bill, H.R. 1479, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the bill, H.R. 1479, as amended.

The question was taken.

Ms. JACKSON-LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were— yeas 411, nays 0, not voting 21, as follows:

[Roll No. 540]

YEAS—411

Hefley	McHugh	Sanders
Hefner	McInnis	Sandlin
Herger	McIntyre	Sanford
Hill	McKeon	Sawyer
Hilleary	McKinney	Saxton
Hilliard	McNulty	Scarborough
Hinchey	Meehan	Schaefer, Dan
Hinojosa	Menendez	Schaffer, Bob
Hobson	Metcalfe	Schumer
Hoekstra	Mica	Scott
Holden	Millender-	Sensenbrenner
Hooley	McDonald	Serrano
Horn	Miller (CA)	Sessions
Hostettler	Miller (FL)	Shadegg
Hoyer	Minge	Shaw
Hulshof	Mink	Shays
Hunter	Moakley	Sherman
Hutchinson	Mollohan	Shimkus
Hyde	Moran (KS)	Shuster
Inglis	Moran (VA)	Sisisky
Istook	Morella	Skaggs
Jackson (IL)	Murtha	Skeen
Jackson-Lee	Myrick	Skelton
(TX)	Nadler	Slaughter
Jefferson	Neal	Smith (MI)
Jenkins	Nethercutt	Smith (NJ)
John	Neumann	Smith (OR)
Johnson (CT)	Ney	Smith (TX)
Johnson (WI)	Northup	Smith, Adam
Johnson, E. B.	Norwood	Smith, Linda
Johnson, Sam	Nussle	Snowbarger
Jones	Oberstar	Snyder
Kanjorski	Obey	Solomon
Kaptur	Olver	Souder
Kasich	Ortiz	Spence
Kennedy (MA)	Owens	Spratt
Kennedy (RI)	Packard	Stabenow
Kennelly	Pallone	Stark
Kildee	Pappas	Stearns
Kilpatrick	Parker	Stenholm
Kim	Pascarell	Strickland
Kind (WI)	Pastor	Stump
King (NY)	Paul	Stupak
Kingston	Paxon	Sununu
Klecza	Pease	Talent
Klink	Pelosi	Tanner
Klug	Peterson (MN)	Tauscher
Knollenberg	Peterson (PA)	Tauzin
Kolbe	Petri	Taylor (MS)
Kucinich	Pickering	Taylor (NC)
LaFalce	Pickett	Thomas
LaHood	Pitts	Thompson
Lampson	Pombo	Thornberry
Lantos	Pomeroy	Thune
Largent	Porter	Tierney
Latham	Portman	Torres
LaTourette	Poshard	Towns
Lazio	Price (NC)	Traficant
Leach	Pryce (OH)	Turner
Levin	Quinn	Upton
Lewis (CA)	Radanovich	Velazquez
Lewis (GA)	Rahall	Vento
Lewis (KY)	Ramstad	Visclosky
Linder	Rangel	Walsh
Lipinski	Redmond	Wamp
Livingston	Regula	Waters
LoBiondo	Reyes	Watkins
Lofgren	Riggs	Watt (NC)
Lowey	Riley	Watts (OK)
Lucas	Rivers	Waxman
Luther	Rodriguez	Weller
Maloney (CT)	Roemer	Wexler
Maloney (NY)	Rogan	Weygand
Manton	Rogers	White
Manzullo	Rohrabacher	Whitfield
Markey	Ros-Lehtinen	Wicker
Martinez	Rothman	Wise
Mascara	Roukema	Wolf
Matsui	Roybal-Allard	Woolsey
McCarthy (MO)	Royce	Wynn
McCarthy (NY)	Rush	Yates
McCollum	Ryun	Young (AK)
McCrery	Sabo	Young (FL)
McDermott	Salmon	
McGovern	Sanchez	
McHale		

NOT VOTING—18

Burton	Gonzalez	Meek
Conyers	Hastings (WA)	Payne
Crane	Houghton	Schiff
Cubin	Kelly	Stokes
Fattah	McDade	Thomas
Foglietta	McIntosh	Weldon (FL)

Abercrombie	Bryant	Diaz-Balart
Ackerman	Bunning	Dickey
Aderholt	Burr	Dicks
Allen	Burton	Dingell
Andrews	Buyer	Dixon
Archer	Callahan	Doggett
Armey	Calvert	Dooley
Bachus	Camp	Doolittle
Baesler	Campbell	Doyle
Baker	Cannon	Dreier
Baldacci	Cardin	Duncan
Balenger	Carson	Dunn
Barcia	Castle	Edwards
Barr	Chabot	Ehlers
Barrett (NE)	Chambliss	Ehrlich
Barrett (WI)	Chenoweth	Emerson
Bartlett	Christensen	Engel
Barton	Clayton	English
Bass	Clement	Ensign
Bateman	Clyburn	Eshoo
Becerra	Coble	Etheridge
Bentsen	Collins	Evans
Bereuter	Combest	Everett
Berman	Condit	Ewing
Berry	Cook	Farr
Bilbray	Cooksey	Fawell
Bilirakis	Costello	Fazio
Bishop	Cox	Filner
Blagojevich	Coyne	Flake
Bliley	Cramer	Foley
Blumenauer	Crane	Forbes
Blunt	Crapo	Ford
Boehlert	Cummings	Fowler
Boehner	Cunningham	Fox
Bonilla	Danner	Frank (MA)
Bonior	Davis (FL)	Franks (NJ)
Bono	Davis (IL)	Frelinghuysen
Borski	Davis (VA)	Frost
Boswell	Deal	Furse
Boucher	DeFazio	Gallegly
Boyd	DeGette	Ganske
Brady	Delahunt	Gejdenson
Brown (CA)	DeLauro	Gekas
Brown (FL)	DeLay	Gephardt
Brown (OH)	Dellums	Gibbons

Gilchrest	Luther	Rothman
Gillmor	Maloney (CT)	Roukema
Gilman	Maloney (NY)	Roybal-Allard
Goode	Manton	Royce
Goodlatte	Manzullo	Rush
Goodling	Markey	Ryun
Gordon	Martinez	Sabo
Goss	Mascara	Salmon
Graham	Matsui	Sanchez
Granger	McCarthy (MO)	Sanders
Green	McCarthy (NY)	Sandlin
Greenwood	McCollum	Sanford
Gutierrez	McCrery	Saxton
Gutknecht	McDade	Scarborough
Hall (OH)	McDermott	Schaefer, Dan
Hall (TX)	McGovern	Schaffer, Bob
Hamilton	McHale	Schumer
Hansen	McHugh	Scott
Harman	McInnis	Sensenbrenner
Hastert	McIntyre	Sessions
Hastings (FL)	McKeon	Shadegg
Hastings (WA)	McKinney	Shaw
Hayworth	McNulty	Shays
Hefley	Meehan	Sherman
Hefner	Menendez	Shimkus
Herger	Metcalfe	Shuster
Hill	Mica	Sisisky
Hilleary	Millender-	Skaggs
Hilliard	McDonald	Skeen
Hinchey	Miller (CA)	Skelton
Hinojosa	Miller (FL)	Slaughter
Hobson	Minge	Smith (MI)
Hoekstra	Mink	Smith (NJ)
Holden	Moakley	Smith (OR)
Hooley	Mollohan	Smith (TX)
Horn	Moran (KS)	Smith, Adam
Hostettler	Moran (VA)	Smith, Linda
Hoyer	Morella	Snowbarger
Hulshof	Murtha	Snyder
Hunter	Myrick	Solomon
Hutchinson	Nadler	Souder
Hyde	Neal	Spence
Inglis	Nethercutt	Spratt
Istook	Neumann	Stabenow
Jackson (IL)	Ney	Stark
Jackson-Lee	Northup	Stearns
(TX)	Norwood	Stenholm
Jefferson	Nussle	Strickland
Jenkins	Oberstar	Stump
John	Obey	Stupak
Johnson (CT)	Olver	Sununu
Johnson (WI)	Ortiz	Talent
Johnson, E. B.	Owens	Tanner
Johnson, Sam	Oxley	Tauscher
Jones	Packard	Tauzin
Kanjorski	Pallone	Taylor (MS)
Kaptur	Pappas	Taylor (NC)
Kasich	Parker	Thomas
Kennedy (MA)	Pascarell	Thompson
Kennedy (RI)	Pastor	Thornberry
Kennelly	Paul	Thune
Kildee	Paxon	Thurman
Kilpatrick	Pease	Tiaht
Kim	Pelosi	Tierney
Kind (WI)	Peterson (MN)	Torres
King (NY)	Peterson (PA)	Towns
Kingston	Petri	Traficant
Klecza	Pickering	Turner
Klink	Pickett	Upton
Klug	Pitts	Velazquez
Knollenberg	Pombo	Vento
Kolbe	Pomeroy	Visclosky
Kucinich	Porter	Walsh
LaFalce	Portman	Wamp
LaHood	Poshard	Waters
Lampson	Price (NC)	Watkins
Lantos	Quinn	Watt (NC)
Largent	Radanovich	Watts (OK)
Latham	Rahall	Waxman
LaTourette	Ramstad	Weller
Lazio	Rangel	Wexler
Leach	Redmond	Weygand
Levin	Regula	White
Lewis (CA)	Reyes	Whitfield
Lewis (GA)	Riggs	Wicker
Lewis (KY)	Riley	Wise
Linder	Rivers	Wolf
Lipinski	Rodriguez	Woolsey
Livingston	Roemer	Wynn
LoBiondo	Rogan	Yates
Lofgren	Rogers	Young (AK)
Lowey	Rohrabacher	Young (FL)
Lucas	Ros-Lehtinen	

NOT VOTING—21

Canady	Cubin	Gonzalez
Clay	Deutsch	Houghton
Coburn	Fattah	Kelly
Conyers	Foglietta	McIntosh

Meek
Payne
Pryce (OH)

Sawyer
Schiff
Serrano

Stokes
Weldon (FL)
Weldon (PA)

□ 1433

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to designate the Federal building and United States courthouse located at 300 Northeast First Avenue in Miami, Florida, as the 'David W. Dyer Federal Building and United States Courthouse'."

A motion to reconsider was laid upon the table.

PERSONAL EXPLANATION

Ms. PRYCE of Ohio. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "aye."

MOTION TO INSTRUCT CONFEREES ON H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. ROHRABACHER. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the motion.

The Clerk read as follows:

Mr. ROHRABACHER moves that the managers on the part of the House at the conference on the disagreeing votes of the House and the Senate on H.R. 2267, Commerce-Justice-State-Judiciary Appropriations Act for fiscal year 1998, be instructed to insist on the House's disagreement with section 111 of the Senate amendment, which provides for a permanent extension of section 245(i) of the Immigration and Nationality Act.

The SPEAKER pro tempore. Pursuant to rule XXVIII, the gentleman from California [Mr. ROHRABACHER] and the gentleman from West Virginia [Mr. MOLLOHAN] each will control 30 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRABACHER].

Mr. MOLLOHAN. Mr. Speaker, I yield 15 minutes to the distinguished chairman of the subcommittee, the gentleman from Kentucky [Mr. ROGERS].

The SPEAKER pro tempore. Without objection, the gentleman from Kentucky will control 15 minutes.

There was no objection.

Mr. ROHRABACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I offer this motion to instruct conferees to try to prevent the enactment of a permanent rolling amnesty program for illegal aliens. Let me repeat that, "a permanent rolling amnesty program for illegal aliens." That is what the issue is today.

Contained in the Senate version of the Commerce-State-Justice appropriations bill is a perpetual extension of an

infamous provision of law that has never won an up-and-down vote on the floor of either the House or the Senate. In fact, the only direct vote ever taken on this provision was taken in this House, and it lost.

Section 245(i) of the Immigration and Nationality Act allows people who are in the United States illegally to pay \$1,000 to the INS to have their legal status changed. I know a lot of my colleagues have been told this only deals with people who have come here and overstayed their visas. That is absolutely inaccurate, and if they base their judgment on that supposed fact, they have been given a misrepresentation.

The INS suggests to us that 62 percent of the people using 245(i) are people who have come into this country illegally, did not come in with visas, snuck into our country. And, yes, some of them came in with visas and just arrogantly overstayed their visas and decided to stay here on an illegal status.

Make no mistake about it, 245(i) is only about illegal aliens who have snuck across our borders or who have overstayed their visas. This provision exists because it brings in hundreds of millions of dollars a year to the Immigration and Naturalization Service, even though they have only gotten around to spending about 5 percent of the 245(i) revenues.

This provision is bad for our country because it undermines our laws. It ends up costing us a lot more than that \$200 million a year, because these people often come here, and illegal aliens, as we know, commit crimes and cost us in other ways. But it also undermines our trust in the law, it violates our national security, and it punishes millions of people around the world who are eligible for permanent residence in the United States but they are waiting their turn, they are waiting in line, and they are separated from their families.

Last year, we passed the Illegal Immigration Reform Act which was widely supported by Americans, immigrants and native-born alike. This reform was a promise to the American taxpayers that we would no longer reward those who break the law. We promised them that their hard-earned tax dollars would not be spent to pay for an immigration system that is contradictory and randomly applied. And we promised our newest American citizens that we would uphold the integrity of the system that they so apparently respected, waiting for months and many times for years to come to the United States of America.

If 245(i) is extended, or what this act wants to do is actually extend it in perpetuity, just make it a permanent provision of the law, the Illegal Immigration Reform Act that we passed last year is null and void, it has been passed in vain; 245(i) not only compromises the integrity of our laws, it also compromises our national security.

The legal immigration process which 245(i) beneficiaries bypass, the regular

immigration process, requires would-be Americans to undergo background checks in their own countries by our State Department consuls. These officials, American officials, conduct a thorough background check in the applicants' home countries, where there are files and there are local officials to call, in order to screen out terrorists and criminals. They also check for an applicant's ability to stay off welfare.

Section 245(i) allows and encourages anyone in the world to skip the background check and skip the welfare probability check and to come here illegally and to pay \$1,000. They then undergo a much less thorough check through the INS. In the meantime, while they are going through this much less thorough check, they are here in the United States of America. If they are terrorists or their criminal background is evident, they are here legally through the 245(i) process while they are being adjudicated. Native country screening for prospective Americans is vital to the safety of our citizens and the security of this country.

Mr. Speaker, we will hear from the other side today that 245(i) is just a matter of location, again, another piece of misinformation that has been passed out: It is just a matter of where someone picks up their visa. That is absolutely not true.

In fact, since most of the beneficiaries of 245(i) have lived here illegally for more than 6 months, most of them would not be eligible for a home-country visa. Meaning, if they returned home, they would not be able to do it anyway because they have already stayed here illegally over 6 months. The only possible way that they could get their visa to stay here legally would be to use 245(i) in this situation. Thus, what do we have? We are making it easier to immigrate illegally into the United States then it is for people to immigrate legally.

We will hear today that without 245(i) the families of illegal aliens may be separated, and that is true. There is no doubt about it, and we care about these people and these families. They put themselves in this situation, unfortunately. But what they will not tell us when we are discussing this, and even though our hearts go out to those people who are going to be separated, we also have a heart for those family members around the world who obey our laws, and they are separated from their families and they are waiting for months and sometimes years to come to this country. What about these families?

Permanently extending 245(i) means we are rewarding people who break our laws and penalizing those who abide by them. We are siding with the families of lawbreakers over those people who stay in line and are waiting, apparently, to obey our laws and come here as proud citizens of the United States of America.

Well, we have a chance to right this wrong, Mr. Speaker. We do not have to