

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
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowe
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale

NOT VOTING—18

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

Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilde
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

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

Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowe
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wilde
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—21

Cubiny
Clay
Coburn
Conyers
Cubin
Deutsch
Fattah
Foglietta
Gonzalez
Houghton
Kelly
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