

pay the INS \$1,000 to change their status from illegal to legal without appropriate back ground checks.

Who benefits most from 245(i)? People who illegally cross our borders or overstay their visas. In other words, it benefits illegal aliens. Consequently, 245(i) sends a dangerous message to the world. The message. "Don't wait to legally enter the United States. Come illegally and have your status adjusted for only \$1,000."

Mr. Speaker, 245(i) also creates a very real threat to our Nation's national security and to the safety of our citizens. While many aliens who come to this country illegally do so to find a better way of life, others have more sinister reasons. The recent arrest in New York of two possible suicide bombers illustrates how easily criminals and terrorists can evade our immigration controls. Simply put, 245(i) makes it easier for dangerous criminals and terrorists to enter and remain in this country. Worse yet, they can stay without being subjected to criminal background checks in their home countries.

If this is true, then why would the INS support 245(i)? The answer is simple, Mr. Speaker. The INS supports 245(i) to make a buck and to lighten their caseload. For example, INS argues that it needs 245(i) because the provision expedites thousands of green card applications a year. They also say that the provision raises more than \$200 million a year in badly needed funds. Yet, at \$1,000 per person, INS is allowing more than 200,000 additional illegal aliens a year to remain in this country. I do not believe that INS should continue to risk American lives, create additional burdens on government services, and cost American jobs just to make a buck or to lighten their caseload.

Mr. Speaker, 245(i) may work well for illegal aliens and INS, but it does not work well for the American people. It is time we do the right thing and let 245(i) expire. I urge your support of this important motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California [Mr. ROHRABACHER].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 153, nays 268, answered "present" 1, not voting 10, as follows:

[Roll No. 541]  
YEAS—153

Aderholt	Barton	Bliley
Archer	Bass	Blunt
Baker	Bateman	Boehner
Barr	Bereuter	Bono
Barrett (NE)	Bilbray	Boyd
Bartlett	Bilirakis	Brady

Bryant	Hastert
Bunning	Hastings (WA)
Burton	Hayworth
Callahan	Hefley
Cavert	Henger
Campbell	Hill
Canady	Hilleary
Chambliss	Hobson
Christensen	Horn
Coble	Hostettler
Coburn	Hulshof
Collins	Hunter
Combest	Hutchinson
Cooksey	Inglis
Cox	Istook
Cunningham	Johnson, Sam
Deal	Jones
DeLay	Kasich
Dickey	Kingston
Doolittle	Klug
Dreier	Largent
Duncan	Lewis (CA)
Dunn	Lewis (KY)
Ehrlich	Linder
Emerson	LoBiondo
Ensign	Lucas
Everett	Manzullo
Ewing	McCollum
Fawell	McCrery
Foley	McKeon
Fowler	Mica
Franks (NJ)	Miller (FL)
Frelinghuysen	Moran (KS)
Galleghy	Nethercutt
Ganske	Neumann
Gibbons	Ney
Gillmor	Northup
Goode	Norwood
Goodlatte	Packard
Goodling	Parker
Goss	Paxon
Graham	Pease
Greenwood	Peterson (PA)
Gutknecht	Petri
Hansen	Pickering

NAYS—268

Abercrombie	Davis (VA)
Ackerman	DeGette
Allen	Delahunt
Andrews	DeLauro
Army	Dellums
Bachus	Deutsch
Baessler	Diaz-Balart
Baldacci	Dicks
Ballenger	Dingell
Barcia	Dixon
Barrett (WI)	Doggett
Becerra	Dooley
Bentsen	Doyle
Berman	Edwards
Berry	Ehlers
Bishop	Engel
Blagojevich	English
Blumenauer	Eshoo
Boehert	Etheridge
Bonilla	Evans
Bonior	Farr
Borski	Fattah
Boswell	Fazio
Boucher	Filner
Brown (CA)	Flake
Brown (FL)	Foglietta
Brown (OH)	Forbes
Burr	Ford
Buyer	Fox
Camp	Frank (MA)
Cannon	Frost
Cardin	Furse
Carson	Gejdenson
Castle	Gekas
Chabot	Gephardt
Chenoweth	Gilchrest
Clay	Gilman
Clayton	Gordon
Clement	Granger
Clyburn	Green
Condit	Gutierrez
Conyers	Hall (OH)
Cook	Hall (TX)
Costello	Hamilton
Coyne	Harman
Cramer	Hastings (FL)
Crane	Hefner
Crapo	Hilliard
Cummings	Hinchey
Danner	Hinojosa
Davis (FL)	Hoekstra
Davis (IL)	Holden

Pitts	McDermott
Porter	McGovern
Pryce (OH)	McHale
Radanovich	McHugh
Riggs	McInnis
Roemer	McIntyre
Rogan	McKinney
Rohrabacher	McNulty
Roukema	Meehan
Royce	Meek
Ryun	Menendez
Salmon	Metcalf
Sanford	Millender-
Scarborough	McDonald
Schaefer, Dan	Miller (CA)
Schaffer, Bob	Minge
Sensenbrenner	Mink
Sessions	Moakley
Shadegg	Mollohan
Shaw	Moran (VA)
Shimkus	Morella
Shuster	Murtha
Skeen	Myrick
Smith (MI)	Nadler
Smith (OR)	Neal
Smith (TX)	Nussle
Snowbarger	Oberstar
Solomon	Obey
Spence	Olver
Stearns	Ortiz
Stump	Owens
Sununu	Oxley
Tauzin	Pallone
Taylor (MS)	Pappas
Taylor (NC)	Pascrell
Thune	Skelton
Tiahrt	Pastor
Trafficant	Paul
Wamp	Pelosi
Watkins	
Weldon (PA)	
Paxon	
Whitfield	
Wicker	
Wolf	
Young (FL)	

Peterson (MN)	Smith, Linda
Pickett	Snyder
Pombo	Souder
Pomeroy	Spratt
Portman	Stabenow
Poshard	Stark
Price (NC)	Stenholm
Quinn	Strickland
Rahall	Stupak
Ramstad	Talent
Rangel	Tanner
Redmond	Tauscher
Regula	Thomas
Reyes	Thompson
Rivers	Thornberry
Rodriguez	Thurman
Rogers	Tierney
Ros-Lehtinen	Torres
Rothman	Towns
Roybal-Allard	Turner
Rush	Upton
Sabo	Velazquez
Sanchez	Vento
Scott	Visclosky
Sandlin	Walsh
Sawyer	Waters
Saxton	Watt (NC)
Schumer	Watts (OK)
Scott	Waxman
Serrano	Weller
Shays	Wexler
Sherman	Weygand
Sisisky	White
Skaggs	Wise
Skelton	Woolsey
Slaughter	Wynn
Smith (NJ)	Yates
Smith, Adam	Young (AK)

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—10

Cubin	McIntosh	Stokes
Gonzalez	Payne	Weldon (FL)
Houghton	Riley	
Kelly	Schiff	

□ 1617

Mr. VISCLOSKY, Mr. McINNIS and Ms. DELAURO changed their vote from "yea" to "nay."

Messrs. HEFLEY, SOLOMON, PACKARD and DELAY changed their vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. THOMAS. Mr. Speaker, on roll call No. 541, I cast a "no" vote. I had intended to vote "aye."

NUCLEAR WASTE POLICY ACT OF 1997

The SPEAKER pro tempore (Mr. CAMP). The Chair is prepared to declare the House resolved into the Committee of the Whole for consideration of H.R. 1270.

For what purpose does the gentleman from Nevada [Mr. ENSIGN] rise?

UNFUNDED MANDATE POINT OF ORDER

Mr. ENSIGN. Mr. Speaker, I rise to make a point of order under section 425 of the Budget Act on the basis that the provision beginning on page 56, line 15, imposes an unfunded intergovernmental mandate on State governments.

The SPEAKER pro tempore. The gentleman from Nevada makes a point of order that the bill violates section