

election returns to the Secretary of State's office. The deadline for the Secretary of State's certification is two weeks from the receipt of the last county's returns. In compliance with this schedule, we anticipate to certify the election on or before the first week of July.

Sincerely,

JULIE A. ALLEN,
Director of Elections & Information
Technology.

SWEARING IN OF THE HONORABLE JASON T. SMITH, OF MISSOURI, AS A MEMBER OF THE HOUSE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri, the Honorable JASON T. SMITH, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Will Representative-elect SMITH and the members of the Missouri delegation please present themselves in the well of the House.

All Members will rise and Representative-elect SMITH will please raise his right hand.

Mr. JASON T. SMITH appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

WELCOMING THE HONORABLE JASON T. SMITH TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Missouri (Mr. CLAY) is recognized for 1 minute.

There was no objection.

Mr. CLAY. Mr. Speaker, as the co-dean of Missouri's U.S. House delegation, I want to congratulate and extend a warm welcome to my newest colleague, Congressman JASON SMITH.

Mr. SMITH is an attorney, a fourth-generation farmer from southeast Missouri, and he has distinguished himself as one of the youngest speaker pro tems in the history of the Missouri House. He follows in the footsteps of my dear friend, former Congresswoman Jo Ann Emerson, who represented Missouri's Eighth Congressional District for 17 years, and I know Mr. SMITH will continue her legacy of public service.

Now I am pleased to yield to my good friend and colleague, the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES of Missouri. Mr. Speaker, I want to also welcome Mr. SMITH to the U.S. House of Representatives.

Lacy said that he is a fourth-generation farmer, but he is actually a seventh-generation Missourian, and he has been living on the same farm that his great-grandfather once lived on. He graduated from my alma mater, the University of Missouri, and he has been involved in agriculture and practicing law. As a farmer, I don't think we can ever have enough farmers in this body.

Mr. Speaker, Missouri is known as the "Show-Me" State, and last night, JASON SMITH won a special election with over 67 percent of the vote, and I think that shows that he is truly the Representative of the Eighth District of the State of Missouri.

So it gives me a great deal of pleasure to yield to the gentleman from the Eighth District of Missouri, JASON SMITH.

Mr. SMITH of Missouri. Thank you very much.

First, I would like to thank Congressman CLAY and also Congressman GRAVES for their kind remarks and also the Missouri delegation. Thanks for being here, and it's great to have that support right behind you.

Less than 18 hours ago, I was standing before friends and family in my small town of Salem, Missouri, and had just gotten elected. We hit the ground running and wanted to make sure that we didn't waste any time to get up here.

All I can say is that I truly look forward to working with every Member of this body. There are 435 of us. My goal is to get to know each and every one of you and help move the country forward one step at a time. I know that we're not going to agree on everything, but do you know what? We need to find those places that we do agree on the issues and then come together and work for the better. I think that we can do that, and I look forward to working with the entire Chamber.

It is truly an honor and a pleasure to represent the fine folks from southeast and south central Missouri, following in the good footsteps of my friend Jo Ann Emerson and also the late Bill Emerson. Thank you all very much, and I look forward to working with you.

□ 1730

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Missouri, the whole number of the House is now 435.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

The SPEAKER. Pursuant to House Resolution 243 and rule XVIII, the

Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2217.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly assume the chair.

□ 1731

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. GARCIA) had been disposed of, and the bill had been read through page 41, line 2.

AMENDMENT OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, this will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 232, not voting 12, as follows:

[Roll No. 198]

AYES—190

Amash	Costa	Hahn
Andrews	Courtney	Hanabusa
Bachus	Crowley	Hastings (FL)
Bass	Cummings	Heck (WA)
Beatty	Davis (CA)	Higgins
Becerra	Davis, Danny	Himes
Bera (CA)	DeFazio	Hinojosa
Bishop (GA)	DeGette	Honda
Bishop (NY)	Delaney	Horsford
Blumenauer	DeLauro	Hoyer
Bonamici	DelBene	Huffman
Brady (PA)	Deutch	Israel
Bralley (IA)	Dingell	Jeffries
Brown (FL)	Doggett	Johnson (GA)
Brownley (CA)	Doyle	Johnson, E. B.
Bustos	Duckworth	Kaptur
Butterfield	Edwards	Keating
Capps	Ellison	Kelly (IL)
Capuano	Enyart	Kennedy
Cárdenas	Eshoo	Kildee
Carney	Esty	Kilmer
Carson (IN)	Farr	Kind
Cartwright	Fattah	Kuster
Castor (FL)	Foster	Langevin
Castro (TX)	Frankel (FL)	Larsen (WA)
Chu	Fudge	Larson (CT)
Ciçilline	Gabbard	Lee (CA)
Clarke	Gallego	Levin
Clay	Garcia	Lewis
Cleaver	Gibson	Loeb sack
Clyburn	Grayson	Loftgren
Cohen	Green, Gene	Lowenthal
Conyers	Grijalva	Lowey
Cooper	Gutierrez	

Lujan Grisham (NM)
 Lujan, Ben Ray (NM)
 Lummis
 Lynch
 Maffei
 Maloney, Sean
 Marino
 Massie
 Matsui
 McCollum
 McDermott
 McGovern
 McIntyre
 McNerney
 Meeks
 Meng
 Michaud
 Miller, George
 Moore
 Moran
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Negrete McLeod
 Nolan
 O'Rourke
 Pallone
 Pascrell

Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peters (CA)
 Peters (MI)
 Peterson
 Pingree (ME)
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Richmond
 Roybal-Allard
 Ruiz
 Ruppberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 Moore
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schwartz
 Scott (VA)
 Scott, David

Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Tierney
 Titus
 Tonko
 Tsongas
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velazquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters
 Waxman
 Welch
 Wilson (FL)
 Yarmuth

Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stewart
 Smith (WA)
 Stockman
 Terry
 Thompson (PA)
 Thornberry
 Tiberi

Tipton
 Turner
 Upton
 Wagner
 Walberg
 Walden
 Walorski
 Weber (TX)
 Webster (FL)
 Wenstrup
 Westmoreland
 Whitfield

Williams
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Yoho
 Young (AK)
 Young (FL)
 Young (IN)

NOT VOTING—12

Campbell
 Engel
 Green, Al
 Holt
 Jackson Lee

Maloney,
 Carolyn
 Markey
 McCarthy (NY)
 McKeon

Pittenger
 Stutzman
 Watt

□ 1736

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HOLT. Madam Chair, I was attending the funeral of our late Senate colleague Frank Lautenberg earlier today in New York City. I missed several rollcall votes on amendments to this bill. Had I been present, I would have voted "yes" on the Moore amendment (rollcall No. 194), "yes" on the Polis amendment (rollcall No. 195), "yes" on the Heck amendment (rollcall No. 196), "yes" on the Garcia amendment (rollcall No. 197), and "yes" on the Deutch amendment (rollcall No. 198).

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Madam Chair, today I was unavoidably detained and missed the following votes. I ask for unanimous consent to have the following inserted into the RECORD:

1. Moore Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted "yes" on this bill.

2. Polis/Chu/Cárdenas Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted "yes" on this bill.

3. Heck/Horsford Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted "no" on this bill.

4. Garcia Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted "yes" on this bill.

5. Deutch/Foster Amendment to H.R. 2217—Department of Homeland Security Appropriations Act. Had I been present, I would have voted "yes" on this bill.

□ 1740

Ms. DUCKWORTH. Madam Chair, I move to strike the last word for the purpose of a colloquy.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Ms. DUCKWORTH. A few days ago, a new report by the Department of Homeland Security Inspector General made recommendations that could save taxpayers \$126 million and improve border security.

The Department of Homeland Security uses 62 H-60 helicopters, operated by the Coast Guard and the Customs and Border Protection agencies, for mission support, primarily for law enforcement and search and rescue mis-

sions. These aircraft are being converted to add 15 years of additional operational life.

The report found that while the Coast Guard properly managed its conversion program, a similar conversion program at Customs and Border Protection led to significant cost overruns and delays that could ground as many as nine of the helicopters beginning in 2014. The IG made what I think is a very good recommendation—have the Coast Guard Aviation Logistics Center conduct the remaining Customs and Border Protection H-60 conversions. According to the IG, the Coast Guard could convert the remaining helicopters much faster and at a lower price tag than CBP. This could save the Department of Homeland Security about \$126 million and speed up the time that the aircraft would be operational and patrolling our borders by 7 years.

I was disappointed to hear that rather than implementing this common-sense taxpayer-dollar-saving recommendation in this time of scarce resources, the Department of Homeland Security is choosing instead to conduct a cost-benefit analysis. I think this delay is unnecessary. At a time when the Department of Homeland Security law enforcement personnel are facing furloughs, this is a missed opportunity to save precious funds and to meet the critical goal of improving our border security.

Mr. DENT. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to the chairman.

Mr. DENT. I appreciate the gentlelady bringing the IG report to our attention. As Ranking Member PRICE can attest, the committee has a long, bipartisan history supporting robust funding for the H-60 conversions. In fact, the bill includes funds sufficient to completely recap two H-60 helicopters. Though I am aware CBP has some reservations about conclusions in the IG report, I am a proponent of not paying top dollar when it is not necessary. Consequently, I would like to have an opportunity to dig into these claims before drawing any particular conclusions.

Mr. PRICE of North Carolina. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to the ranking member.

Mr. PRICE of North Carolina. I would like to express my agreement with what Mr. DENT just said. These aircraft are absolutely vital for mission success for Border Patrol agents and air and marine personnel. If there are better, faster, cheaper ways to make these conversions, we need to know about them.

Mr. DENT. Will the gentlelady yield?

Ms. DUCKWORTH. I yield to our chairman.

Mr. DENT. Again, I thank the gentlelady for raising this issue. Clearly she has some personal experience flying these aircraft, and I'm grateful for her service.

NOES—232

Aderholt
 Alexander
 Amodei
 Bachmann
 Barber
 Barletta
 Barr
 Barrow (GA)
 Barton
 Benishke
 Bentivolio
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Boustany
 Brady (TX)
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Broun (GA)
 Buchanan
 Bucshon
 Burgess
 Calvert
 Camp
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Conaway
 Connolly
 Cook
 Cotton
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Daines
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Farenthold
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry

Fox
 Franks (AZ)
 Frelinghuysen
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Heck (NV)
 Hensarling
 Herrera Beutler
 Holding
 Hudson
 Huelskamp
 Huiheng (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Joyce
 Kelly (PA)
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kirkpatrick
 Kline
 Labrador
 LaMalfa
 Lamborn
 Lance
 Lankford
 Latham
 Latta
 Lipinski
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Marchant
 Matheson
 McCarthy (CA)
 McCaul

McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Paulsen
 Pearce
 Perry
 Petri
 Pitts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Radel
 Rahall
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Royce
 Runyan
 Ryan (WI)
 Salmon
 Scalise
 Schock
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Sinema

Ms. DUCKWORTH. I thank the chairman and the ranking member for your attention to this matter, and I hope that we can work together to ensure that management of this program is improved.

I yield back the balance of my time.

Mr. BUTTERFIELD. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BUTTERFIELD. Madam Chair, let me first begin by thanking the chairman of the subcommittee and the ranking member for their leadership on this committee. I've watched you over the years, and the two of you work together so well, and I thank you so very much.

Over the years, I have led an effort here in the House to recognize a group of Americans who served our country during World War II. We refer to them as the merchant marines. They have not been properly recognized for their service, and I'm very sad about that. We are quickly running out of time to recognize the few remaining Americans that stood up for our country by serving as merchant marines when our country needed them the most during World War II.

Without weapons or formal training, many risked their lives; and, tragically, too many gave their lives in defense of our great Nation during the Second World War. For those who are still living, we must not let their efforts go unrecognized while we still have a chance.

The recent passing of Senator Lautenberg earlier this week, the last remaining World War II veteran in the Senate, is a strong reminder that our time is running out to recognize those who are lesser known but still contributed significantly to the World War II effort. Few have given more to this country than Senator Lautenberg, and I pray that his family has peace in the weeks and months to come. He will be missed.

Because I believe that it is only fair to recognize merchant marines who served during this war, I reintroduced H.R. 1288, the WW II Merchant Mariner Service Act. To date, I have been joined by 81 of my colleagues from both sides of the aisle in support of this bill, and I encourage all of my colleagues to cosponsor this legislation that costs nearly nothing.

This bill would award veteran status and limited benefits to a segment of the World War II merchant marines that has gone unrecognized. These men and women operated tug boats and barges in the territorial seas of the United States transporting raw materials, weapons, and troops that sustained the war effort. Though most of these individuals operated domestically, their duties were not without risk.

A tugboat, the Menominee, was sunk by a German U-boat on March 31, 1942, about 9 miles off the coast of Virginia,

causing the death of 16 of the 18 mariners that served aboard.

I acknowledge that a point of order would be raised if I were to offer this legislation as an amendment today. However, the legislation before us does address funding that is utilized in the support of our Coast Guard and merchant marines, and I could not forgo the opportunity to address the dire need to rightly recognize the efforts of these individuals before it's too late.

I thank you and my colleagues for allowing me time to speak on this very important issue. I strongly encourage my colleagues to join me in cosponsoring H.R. 1288 and in passing the legislation so these remaining Americans can gain the recognition they deserve.

I yield back the balance of my time.

Mr. HUDSON. I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. HUDSON. Madam Chair, I rise to bring attention to an issue of critical importance regarding our national security. Our cyber and information warfare doctrines do not pay enough attention to the likelihood that adversaries seeking to cripple United States critical infrastructure could quickly turn to an EMP, electromagnetic pulse, attack.

This Nation's electrical grid is incredibly vulnerable and could be crippled by such an attack. The resulting blackout and EMP damage would quickly move beyond the electric grid. Other systems could collapse, leading to a failure of other critical infrastructures, such as communications, transportation, banking and finance, as well as the transportation of food and water. As I have traveled around my district, I have heard from several constituents and experts that see this threat as ever-present.

While technology has made society more efficient, it has also made us more vulnerable by permeating nearly every aspect of our culture that sustains modern civilization and the lives of millions.

The assessment that the U.S. is vulnerable to an EMP attack is based on the work of the Congressional EMP Commission that analyzed this threat for nearly a decade from 2001 to 2008. The Congressional Strategic Posture Commission and several other U.S. Government studies arrived at similar conclusions and collectively represent a scientific and strategic consensus that nuclear EMP attacks upon the United States are a very real threat.

I applaud Chairman ROGERS and the Appropriations Committee for finding ways to prioritize spending so that the National Protection and Programs Directorate, along with similar programs, are able to continue their necessary work. I hope they will continue to engage with academic institutions and private organizations to find better, more cost-effective solutions to protecting this Nation's critical infrastructure and our way of life.

I yield back the balance of my time.

Mr. PASCRELL. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PASCRELL. Madam Chair, I rise to express my support for the Urban Area Security Initiative Nonprofit Security Grant Program. The Nonprofit Security Grant Program, administered by the Federal Emergency Management Agency, provides critical support to nonprofit organizations at high risk of terrorist attack.

This is not a theoretical threat. This is a real threat.

For example, a string of anti-Semitic hate crimes took place just 2 years ago targeting synagogues in Bergen County, New Jersey, which I represent. These heinous acts culminated in arson when a fire bomb was thrown through the window of an Orthodox Jewish temple, the residence of a rabbi, his wife, his five children, and his father. Thankfully, the rabbi and his family escaped serious injury in this attack, and local authorities have arrested the suspects and are in the process of bringing them to justice.

□ 1750

Other events across the country have shown the continuing need for these grants as well. Last year, a gunman killed six and wounded four in a mass shooting at a Sikh temple in Oak Creek, Wisconsin.

A security guard was tragically killed several years ago at the Holocaust Museum here in Washington by a Holocaust denier and White supremacist. Crimes are not being investigated by White supremacists in this country, just as an aside thought.

These are just a handful of the examples showing the vulnerability of nonprofit organizations to attack.

The Nonprofit Security Grant Program was designed precisely to allow at-risk, nonprofit organizations such as houses of worship and community centers to protect themselves from these types of tragedies by acquiring and installing equipment to ensure against potential attacks. These capital improvements include upgrading security measures, such as installing alarms, barriers, cameras, or controlled entry systems.

In fiscal year 2011, the year during which these terrible events took place in Bergen County, the Nonprofit Security Grant Program was allocated \$19 million. For the past 2 years this amount has been reduced by nearly half, to \$10 million, despite the ongoing need for this assistance.

If we can't protect our houses of worship, what can we protect?

The program is funded out of the Department of Homeland Security's State and Local Programs account, and allows the Secretary discretion to allocate this funding as she sees fit, or he sees fit, who's ever there.

I call upon the Secretary to allocate at least \$15 million to the Nonprofit

Security Grant Program as a step towards restoring adequate funding to this vital program. Although I hope that we can bring this funding back to the 2011 level and beyond, \$15 million should be the baseline level of funding these vital programs.

I also believe that the Nonprofit Security Grant Program should receive its own dedicated funding, rather than competing with other important initiatives for a small share of the Department's State and Local Programs' dollars.

I urge my colleagues to support the Nonprofit Security Grant Program in order to ensure that these nonprofit organizations, which serve as the heart of our communities, receive the protection they need.

Madam Chair, let me just add one other thing, and that is, it reduces a tremendous amount of anxiety at these houses of worship—and I mentioned a few religions here just now, but I can cite others—reduces the anxiety of being safe even where you sleep or even where you worship.

Now, we had the right idea. This was a bipartisan idea in 2010, 2011, and before that. Why can't we do the right thing?

It's not that much money. It will help a lot of institutions to protect themselves, especially when you put in a camera or the other things that I mentioned. It makes people feel a lot more relaxed and it reduces anxiety.

I hope that we can do this. I know, Madam Chair, and I'm sorry if I'm appealing to you directly, which I am. Madam Chair, you understand this program very, very well. I would solicit your support for this. And I think it's very important because it's going to stop terrorism in this form.

I mean, this gentleman was sleeping with his family, the rabbi, and the bomb came in through the window. It was thrown up to the second floor and exploded. I mean, can you imagine the trauma for those children?

I apologize for directing my attention to you because you know about these things, and I'm asking you to be helpful to me.

I yield back the balance of my time. The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2014, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100

percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2014, and remain available until September 30, 2016.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$42,162,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$6,220,908,000, to remain available until expended, of which \$24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the House of Representatives and the Senate detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: *Provided further*, That the Administrator shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: *Provided further*, That the Administrator shall submit to such Committees the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) An estimate of the following amounts shall be submitted for the budget year at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code:

(A) The unobligated balance of funds to be carried over from the prior fiscal year to the budget year.

(B) The unobligated balance of funds to be carried over from the budget year to the budget year plus 1.

(C) The amount of obligations for non-catastrophic events for the budget year.

(D) The amount of obligations for the budget year for catastrophic events delineated by event and by State.

(E) The total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond.

(F) The amount of previously obligated funds that will be recovered for the budget year.

(G) The amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42

U.S.C. 5187), surge activities, and disaster readiness and support activities.

(H) The amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(2) An estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, and shall be published by the Administrator on the Agency's website not later than the eleventh day of each month:

(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

(B) A table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered.

(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

(D) In addition, for a disaster declaration related to Hurricane Sandy, the cost of the following categories of spending: public assistance, individual assistance, mitigation, administrative, operations, and any other relevant category (including emergency measures and disaster resources).

(E) The date on which funds appropriated will be exhausted.

Provided further, That the Administrator shall publish on the Agency's website not later than 24 hours after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 24 hours after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's website the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That of the amount provided under this heading, \$5,626,386,000 is for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 917), \$95,202,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act

(42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141, 126 Stat. 916), \$176,300,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed \$22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$154,300,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2015: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2014, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

- (1) \$132,000,000 for operating expenses;
- (2) \$1,152,000,000 for commissions and taxes of agents;
- (3) such sums as are necessary for interest on Treasury borrowings; and
- (4) \$100,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): *Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)-(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), \$22,500,000 to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), \$120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, \$114,213,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to ac-

quire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; \$227,845,000; of which \$300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed \$9,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107-206 (42 U.S.C. 3771 note), as amended under this heading in division D of Public Law 113-6 is further amended by striking "December 31, 2015" and inserting "December 31, 2016": *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the remainder of the bill through page 52, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction,

and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, \$30,885,000, to remain available until September 30, 2018: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), \$129,000,000: *Provided*, That not to exceed \$7,650 shall be for official reception and representation expenses: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a report outlining reforms to research and development programs, as specified in the accompanying report.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, \$1,096,488,000; of which \$548,703,000 shall remain available until September 30, 2016; and of which \$547,785,000 shall remain available until September 30, 2018, solely for operation and construction of laboratory facilities: *Provided*, That of the funds provided for the operation and construction of laboratory facilities under this heading, \$404,000,000 shall be for construction of the National Bio- and Agro-defense Facility.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 54, line 3, after the dollar amount insert "(reduced by \$404,000,000)".

Page 54, line 9, after the dollar amount insert "(reduced by \$404,000,000)".

Page 93, line 9, after the dollar amount insert "(increased by \$404,000,000)".

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Madam Chair, my amendment is very simple. It strikes the \$404 million included for the National Bio- and Agro-Defense Facility, known as NBAF, planned for Manhattan, Kansas, and uses those funds to reduce the deficit.

I continue to voice two vitally important concerns with NBAF: safety and cost. As many have noted in the past, putting a laboratory that will study the most virulent and harmful animal diseases known in the heart of cattle country, and in an area that is the frequent victim of violent tornados, is a needless risk to an \$80 billion a year industry, especially when the safety of that lab is still in question.

While supporters of this project will testify to NBAF's safety, this claim is not supported by the two risk evaluations conducted by the National Academy of Science's research arm, the National Research Council. These risk evaluations studied site-specific assessments conducted by the Department of Homeland Security.

In its review of DHS' first study, the NRC found that the risk of foot-and-mouth disease released in the Nation's heartland was 70 percent, 70 percent over a 50-year period. Furthermore, the cost of a release of foot-and-mouth disease is estimated at between \$9 billion and \$50 billion.

In June 2012, the NRC found that the Department's second risk assessment relied on "questionable and inappropriate assumptions" in calculating risk to determine that NBAF posed near non-existent safety risks to surrounding areas. The same report could not verify DHS' results due to the "methods and data being unevenly or poorly presented."

If the Department's own safety assessments throw into question the safety and security of this new facility, how can we be certain that a billion-dollar project will not pose significant security threats to Americans living nearby? The NRC findings are not a resounding endorsement, by any stretch.

In addition to these significant safety concerns, NBAF's cost is alarming. Initially, \$451 million was budgeted for its construction. Today the pricetag is a staggering \$1 billion.

It can hardly be considered fiscally responsible to spend more than double the initial amount to build a massive research facility only to duplicate research activities currently performed by other existing facilities. More cost-effective solutions must be considered to meet the Nation's agro-defense research needs, including the expansion of existing facilities around the country.

Alternative options to NBAF do exist. A July 2012 NRC study looked at three separate futures for the Nation's biosecurity needs and clearly demonstrates that, even without NBAF as currently designed, those needs can be adequately filled by existing facilities.

Specifically, one option includes continuing the exemplary work already being conducted at the Plum Island Animal Disease Center, while leveraging out the BSL-4 functions to other existing facilities.

□ 1800

This option would represent a significant savings, while ensuring that current research needs are met. The NRC's studies reaffirmed my concerns, as well as the concerns of many in the agricultural community, that the unknowns are too many, the risks are too great, and the pricetag too high to justify going forward with construction at this time.

Let me close with this. This NBAF project is a boondoggle. We don't even

have a shovel in the ground yet and already the cost has gone up by 250 percent. It is not needed. A very reputable organization, that is to say, the NRC, has asserted a perfectly reasonable and vastly less expensive alternative exists. We have scores and scores of infrastructure needs much, much more urgent that we are not addressing.

I urge my colleagues to vote "yes" on this amendment, support my amendment, and reduce our deficit by \$404 million.

I yield back the balance of my time.

Mr. DENT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Madam Chairman, I do rise in opposition to this amendment. I'm certainly sympathetic with the predicament of the gentleman from New York—and he's doing his best to represent his district—but this amendment would cut funding for the National Bio- and Agro-Defense Facility, or the NBAF, in Manhattan, Kansas, an essential research center for human and animal pathogens, by \$404 million and increase funding for research, development, and innovation by an equivalent amount.

The bill has already cut funding by \$310 million from the President's request of \$714 million. The amount provided in the bill—\$404 million—is the amount needed in order to obtain the Kansas cost share and begin construction. I believe Kansas is prepared to offer \$202 million in support of this project.

Again, while I understand the gentleman's local district concern—and he's a strong advocate for his district—this amendment is in fact shortsighted. This horse is already out of the barn, so to speak. We have an immediate need to build up our capacity for research into pathogens that afflict animals in our food chain and, by extension, human beings. The Under Secretary for DHS Science and Technology herself has testified the threat of biological attack through our large and vulnerable food chain is a top priority. She has confirmed that NBAF is required to meet this threat. She's also testified that Plum Island, which is in the gentleman's district, of course, cannot meet this need. Yet this amendment would freeze this effort. The amendment would stall a program needed to address a serious, known risk.

I urge opposition to the amendment. We need to get this facility up and running in Kansas.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I rise in opposition to the amendment offered by my friend from New York that would eliminate funding in the bill for

constructing the National Bio- and Agro-Defense Facility, or NBAF. I supported a similar amendment offered by the gentleman last year, but the circumstances, I believe, have changed decisively.

Last year, the administration did not request funding for NBAF for fiscal 2013. We were still waiting on the results of a National Academy of Sciences review of options for meeting the Nation's animal disease research needs and on the result of a separate NAS review of the Department's updated risk assessments for NBAF.

Last June, NAS released a report on DHS' updated risk assessment concluding that the Department had made substantial improvements compared to its first risk assessment and that the so-called 65 percent design phase plans for the facility itself appear to be sound and conform with international standards.

Further, last July, a separate National Academy of Sciences report made clear that the existing animal disease research facility on Plum Island is not an option for meeting the Nation's needs and that a new facility with a BSL-4 laboratory is required. This is precisely the capability that the new NBAF facility will provide.

The two studies also made clear that critical work must continue. Notably, the National Academy of Sciences' review determined that the Department had likely underestimated some types of risk while overestimating others. The Department disputes some of these assessments. But even acknowledging that DHS must continue to improve its risk methodology and response planning before the NBAF facility becomes fully operational, we should not wait any longer to begin constructing the new facility, which we know now is securely and safely designed. The longer we wait, the more costly its construction will be and the more costly it will be to continue to maintain the Plum Island facility. We also must consider the cost of further delaying the availability of a Biosafety Level 4 facility, which the NAS, DHS, and other stakeholders are fully convinced we need.

So I believe the funding provided in the appropriations bill is timely and needed, and I urge Members to oppose the amendment.

I yield back the balance of my time.

Ms. JENKINS. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Kansas is recognized for 5 minutes.

Ms. JENKINS. After an exhaustive review, the Department of Homeland Security chose Manhattan, Kansas, as the site for the new BSL-4 National Bio- and Agro-Defense Facility. This will be the only such facility capable of researching large animals in the United States. The construction of this cutting-edge facility must move forward quickly so we can safely conduct critical research to develop vaccines

and countermeasures in order to protect the public and our livestock from the threats of devastating diseases.

Not only will the NBAF accelerate America's ability to protect ourselves, our food supply, and the agriculture economy from biological threats, it will also be the world's premier animal health research facility and further solidify our Nation's place as the international leader in animal health. The NBAF is needed to replace the obsolete and increasingly expensive Plum Island Animal Disease Center. This lab was built in the 1950s and has reached the end of its life. The facility does not contain the necessary biosafety level to meet the NBAF research requirements—and it never will. Any attempts to upgrade Plum Island would cost more than building the NBAF.

Currently, we don't have the ability to research the effects of disease on large animals, such as foot-and-mouth disease, African swine fever, and Rift Valley fever, at any facility in the United States, nor can we rely on international partners for our own security needs. The NBAF project has a history of broad-based support. DHS, under both the Bush and Obama administrations, and the House Appropriations Committee, under both Democrat and Republican leadership, have made it clear time and time again that our country needs the NBAF. And the best place is in Manhattan, Kansas.

The President's budget includes \$714 million, which would complete construction. And while I prefer that this bill include that figure, Chairman CARTER has responsibly included sufficient funding for this fiscal year of \$404 million. Construction on this facility has already begun, and Congress has already appropriated \$127.5 million and the State of Kansas and the city of Manhattan have already committed more than \$200 million towards the project. These dollars show a strong commitment at both the Federal, State, and local levels.

Our Nation's food supply cannot sustain another delay. We need to protect our food and our families from danger. We need to stay on the cutting edge of this research field. Our security is at risk. Delaying this project any further is not an option. We need NBAF.

I urge my colleagues to vote against this destructive amendment, and I yield back the balance of my time.

Mr. HUELSKAMP. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. I appreciate the opportunity to speak on the topic of NBAF. As has been mentioned by my colleague from Kansas, currently in the United States there is not a single research facility that is able to conduct research at Biosafety Level 4.

The NBAF facility being discussed here today and that would be funded in this particular bill will provide critical research in areas, again, that are not

able to be researched currently in this country—things such as African swine fever, Rift Valley fever, the Nipah virus, and the Hendra virus.

□ 1810

I repeat. We currently, as a country, without this facility, are required to outsource this particular research to other countries.

As a Kansas farmer and rancher, I recognize the critical damage that would be done to our livestock industries if we do not proceed forth with construction of NBAF.

Indeed, shovels are being turned in Manhattan, Kansas, today. The central utility plant that is related to this, construction is proceeding underway. The State of Kansas has agreed to pay a substantial sum to assist for the cost of construction of this facility.

And, as was indicated earlier, the current facility that served for over 50 years is aging at Plum Island and needs to be replaced. The Manhattan, Kansas, site was selected by a panel of more than 25 scientists. DHS and USDA experts agree this is the best place to build NBAF and provide the critical research that is necessary not just to protect the outbreak of foreign animal diseases that might be accidental, but to protect America and our livestock industries from mass destruction from terrorism and numerous other attacks that could use these particular foreign animal diseases and other things.

One other connection I will note: these are diseases that in many cases not only impact the livestock industries, but are zoonotic and can impact humans. This research needs to be done. We need to continue with construction in order to protect our livestock and our human health in this country.

I yield back the balance of my time, Madam Chair.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. BISHOP).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BISHOP of New York. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

DOMESTIC NUCLEAR DETECTION OFFICE
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration of programs and activities, \$37,353,000: *Provided*, That not to exceed \$2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of

investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

(1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2014 and planned for fiscal year 2015 to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2014 and 2015.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, \$211,210,000, to remain available until September 30, 2015.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, \$42,600,000, to remain available until September 30, 2016.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2014 Budget Appendix for the Department of Homeland Security, as modified by the report accompanying this Act, unless the Committees on Appropriations of the Senate

and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of \$5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. (a) The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103-356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2014: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2014 budget: *Provided further*, That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further*, That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further*, That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 503 of this Act.

(b) The amounts appropriated in this Act are hereby reduced by \$250,000,000 to reflect

cash balance and rate stabilization adjustments in the Working Capital Fund.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014 from appropriations for salaries and expenses for fiscal year 2014 in this Act shall remain available through September 30, 2015, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of an Act authorizing intelligence activities for fiscal year 2014.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of \$1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under "State and Local Programs".

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that

the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. Any funds appropriated to Coast Guard "Acquisition, Construction, and Improvements" for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110-123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 517. Section 532(a) of Public Law 109-295 (120 Stat. 1384) is amended by striking "2013" and inserting "2014".

SEC. 518. The functions of the Federal Law Enforcement Training Center instructor

staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 519. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2014, to the Office of Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2014.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2015.

SEC. 520. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 521. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 523. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2013,” and inserting “Until September 30, 2014.”;

(2) in subsection (c)(1), by striking “September 30, 2013,” and inserting “September 30, 2014.”.

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the

Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 526. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 526. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 527. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703(g)(4)(B) of title 31, United States Code (as added by Section 638 of Public Law 102-393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 528. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 529. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the bill through page 71, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

SEC. 530. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event

and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “major disaster” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 531. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 532. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note), as amended by section 537 of the Department of Homeland Security Appropriations Act, 2013 (Public Law 113-6), is further amended by striking “on October 4, 2013” and inserting “on October 4, 2014”.

SEC. 533. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

In section 533, amend paragraph (2) to read as follows:

(2) was transferred to the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense, after December 31, 2005.

Mr. DENT. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN. Madam Chairwoman, section 533 would prohibit any funds being used for the transport, release, or assistance in the transfer or release of any Guantanamo detainee housed in Cuba on or after June of 2009. My amendment would change that date to December 31, 2005.

Now, in 2006, people who were truly the worst of the worst, those detainees who were housed in CIA black sites were transferred to Guantanamo. Now, prior to 2006, Guantanamo was populated with detainees who were simply not as deserving of indefinite detention, as this latter group, in my view, is. Eighty-six percent of the people of

the first group, prior to 2005, were arrested in exchange for a bounty. The vast majority never committed an act of violence against the United States or any of its allies. About 5 percent may have been affiliated with al Qaeda.

Now, Madam Chairwoman, it seems to me that it's time that we clarify the definition of who is at Guantanamo. I listened very closely to my good friends yesterday, including Mr. WOLF, who cited Khalid Sheikh Mohammed in defining who was at Guantanamo. Khalid Sheikh Mohammed is one of those worst of the worst. I don't care what you do with Khalid Sheikh Mohammed. As far as I'm concerned, from everything I know, he deserves whatever happens to him. But we're not talking about him if this amendment were to pass. We're talking about people who were brought there initially, more than half were already released, of the 779, by the Bush administration. Eighty-six more have been already cleared for release.

Now, Madam Chairwoman, the fact is we're spending \$150 million a year to house these folks. About 150 of them are people that were brought there before 2005. We've authorized up to half a billion dollars to be spent to further modernize the facilities so that we can keep them indefinitely. It's expensive. We're spending \$1 million per detainee now, and then we would be talking, if we spent that 500, many more for indefinite detention.

The problem with that, in addition to the money, is the national security issue, because Guantanamo is a recruiting tool and a rallying cry for the enemy. It's not the only thing they cite, but, invariably, it's one of the principal things they cite and why the United States is not the country that it truly is.

They suggest that we are not good to our word, that we don't believe in the very principles of our jurisprudence system, that people are innocent until they've been proven guilty, that they ought to be charged with crimes. We don't believe in indefinite detention. That's what other countries do. We don't do that. We give people a fair trial. But the reason we have Guantanamo is that this was set up to be above the law. It's extrajudicial. The rules don't apply. The rest of the world looks at this and it undermines our credibility and our security as a Nation. That, Madam Chairwoman, is exactly why we should distinguish.

The worst of the worst, keep them there, keep them in some kind of isolated structure, but you sure don't have to spend half a billion dollars for 12 to 15 people. Those other 150, of whom many of them are now on a hunger strike, a majority are on a hunger strike because they believe there's no hope, there's nothing to live for, they're going to be there forever. In fact, more than 30 of them—37, to be exact—are being forcibly tube fed. If this was in another nation, we'd be on the floor—Mr. WOLF would be on the floor objecting to this.

That's why this amendment should pass, Madam Chairwoman.

I yield back the balance of my time. Mr. DENT. Madam Chair, I withdraw my point of order and rise in opposition to the amendment.

The Acting CHAIR. The reservation is withdrawn, and the gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Madam Chair, I rise in opposition to the amendment simply because I don't know the impact on security of this amendment. Who would be released? Where would these prisoners be relocated? And who would they be released to? to Yemen? to the United States? I simply don't know by reading this amendment.

□ 1820

It's clear that if these individuals were released to Yemen, they would not likely remain in custody for very long and likely rejoin the fight.

At the outset of the President's first term, an executive order declared the intention to close Guantanamo Bay and bring the detainees to the United States. That proposal was rejected by this Congress, and prohibitions on transferring detainees to the U.S. were enacted by overwhelming bipartisan majorities.

As my colleague and friend Mr. WOLF just discussed yesterday during consideration of the MilCon bill, this amendment could result in very dangerous outcomes. 779 people were detained in the first few years, and at this time it is unknown how many could potentially be released as an effect of this amendment.

As you know, several men who have been released from Guantanamo have gone back into the battlefield and killed Americans. We also know that having these dangerous individuals detained and tried in the United States dramatically impacts the facilities and localities where they're located. You must remember the violent nature of some of these individuals and the social impact on having these people in our neighborhoods.

I simply cannot support this amendment. It has high monetary and social costs and could potentially endanger our communities. In fact, a few years ago, it was discussed about releasing some of these detainees—five up into New York City—and that was rejected very, very strongly by both Republicans and Democrats. Any proposal that results in these detainees being sent to the United States is simply the wrong policy.

I urge my colleagues to reject the gentleman's amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise in support of my colleague, Mr. MORAN's amendment. The

fact is that section 533 of this bill, which his amendment amends, has no place in this Homeland Security bill in the first place. If it belongs in any bill, it would be the Commerce-Justice bill. But as a political gesture, for years now, we've had this amendment or something very much like it added to a number of appropriations bills.

What Mr. MORAN has done tonight, though, is interesting. He has not proposed that this section be removed. He has simply amended it, and in a sensible way. He would limit the prohibition of the transfer of detainees to those demonstrably dangerous people who were placed in Guantanamo after 2005. That should remove most of the objections people have made to the elimination of this prohibition entirely.

It seems that the colleagues who have pushed this amendment, year after year and bill after bill, don't apparently have very strong concerns about indefinite detention and the kind of stain that this represents on this country. They also seem to think that if and when detainees are going to be brought to trial, the way to try them is with military commissions at Guantanamo. They seem to think that's the only possible way to bring these detainees to justice.

The reality is that military commissions have a very spotty record at best, while our criminal courts have a long and successful record of prosecuting terrorists. Why would we want to eliminate that option? Why would we want to deny that option to the President?

The reasoning of the proponents of this provision both denigrates our judicial system and actually exalts these detainees to a status they don't deserve in the eyes of the world. If I had my way, this section would not be in the bill in the first place. But since it is, I think Mr. MORAN has made a very sensible proposal that we should consider very favorably, and I hope that my colleagues will do just that.

I yield back the balance of my time.

Mr. WOLF. Madam Chairman, I move to strike the requisite number of words.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Madam Chairman, I rise in opposition to the amendment. I want, again, to begin: I don't believe it's fair to say that had we closed down Guantanamo Bay bin Laden would not have done what he had done. Bin Laden was active and al Qaeda was active in a 1993 bombing of the World Trade Center that was before the Guantanamo Bay. They were involved in the bombing of the American Embassy in Tanzania and Nairobi that was before. And I don't believe that al Qaeda and al-Shabaab and all these are waiting to see, Well, when President Obama closes down Guantanamo Bay, we're going to kind of get off the field and it's going to be over. I just don't think that has any impact.

Secondly, the transferees—according to a political article, FBI Director Robert Mueller stated:

To transfer detainees to local jails could affect or infect other prisoners or have the capability of affecting events outside the prison system.

I agree with Director Mueller. I think Director Mueller has done a great job.

On the Moussaoui case—if the gentleman remembers, Moussaoui was in Alexandria for 4 years, and it tied up Alexandria. And to bring some of these people and to try them here creates a lot of problems.

The other issue, though, is 15 percent, at least—and this is an old figure. It could be higher, it could be a little bit lower, but at least 15 percent of the terrorist recidivism rate of released detainees that were released back to Yemen and places like that, it is not unheard of to have, as you release some—and some were released under the Bush administration—went back on the field and killed our men and women.

And so to release these, certainly you would never do this in an appropriations bill. You would have extensive hearings in and out. You would call the FBI to ask them what are the ramifications. You would call the CIA to ask them what are the ramifications. You would call Homeland Security to ask them what are the ramifications.

So for all these issues—and I won't take up any more time because we covered it last night—I think this is a bad amendment, and I urge its defeat.

I yield back the balance of my time.

Mr. CONNOLLY. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. Madam Chairman, I think this is a very important debate.

I remind my colleague from Virginia that I was on the board of supervisors in Fairfax County during the Karzai trial, and most certainly it was a difficult time, but we handled, professionally, that trial. He was tried fairly, convicted, and executed in the Commonwealth of Virginia. It is not beyond our reach to be able to handle these difficult cases.

Madam Chairman, I believe that this is a very important debate. I believe the author needs to be heard in the exposition of this argument, and I'm pleased now to yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Chairman, I thank my very good friend from Virginia. I would like to address a few points that my other very good friend from Virginia made.

First of all, the case that my good friend from Virginia referred to is actually a case in point. As Mr. CONNOLLY pointed out, the American jurisprudence system worked. He was tried and he was convicted and he was executed. And, in fact, no convictions have been achieved with these military commissions. Two guilty verdicts, but they were overturned.

Mr. WOLF. Will the gentleman yield?

Mr. CONNOLLY. I yield to my friend from Virginia.

Mr. WOLF. Moussaoui was picked up here in the United States. He was not picked up in the battlefield in Afghanistan or someplace like that. So they were totally separate-type issues.

I thank the gentleman for yielding.

Mr. MORAN. I would say to the gentleman, if they were totally separate, then I don't know why he brought that issue into this debate. The fact is there is a lesson, and I want to explain what that lesson is, because our American jurisprudence system worked. He was convicted in a U.S. court.

□ 1830

In fact, before he was executed, there was a description of this person—I don't want to call him a “gentleman.” He was crying uncontrollably, and apparently the reason was that all of the conceptions that he had had proved to be misconceptions. He had been screaming about how bad the United States was, how unfair the trial was, and then he realized he was wrong.

It's too late for him to realize that now, but the American jurisprudence system worked. In fact, we have tried more than 1,000 terrorists in the United States. We are currently holding 373 people convicted of terrorism in 98 facilities across the country. There are six Department of Defense facilities in which detainees could be held in the United States, and they are only at 48 percent capacity. There are 98 Justice Department facilities, as the gentleman well knows, and there is one in Alexandria where Guantanamo detainees could be held in the United States.

I just want to show the rest of the world that our justice system works. That is what defines us as a Nation and as a people. Guantanamo doesn't define us. It's just the opposite of what we believe in, what we profess to believe in. That's the problem. Nobody suggested that 9/11 happened because of Guantanamo. We know our history. We know when Guantanamo was established. The fact is that we could cite any number of situations in which our enemy cites Guantanamo as a reason for these young, impressionable men joining the forces of al Qaeda—because they just want to suggest that we really are not who we say we are.

This amendment would let us be who we are. Let the President close this facility that never should have been established in the first place. The Bush administration recognized that when it released more than half of the detainees—779 of them turned in for bounties in Afghanistan and Pakistan. That's not the way we arrest people. They released them. The majority of the people at Guantanamo today have been cleared for release. They ought to be released, or they ought to be tried. As far as the worst of the worst, do what you want with them, but you don't have to spend \$500 million to upgrade the facilities at Guantanamo so that

you house people indefinitely. That's not who we are. That's why this amendment should pass.

Mr. CONNOLLY. Madam Chair, I have collaborated with the Chairman and Ranking Member on this statement and I am pleased to submit it into the RECORD with their concurrence. I appreciate the Committee's efforts to ensure the Department has the necessary cybersecurity resources to safeguard our Nation's digital infrastructure. In recent years, prominent intelligence, defense, and homeland security officials have expressed alarm over the rapidly increasing cyber threat and our inadequate cyber defenses, and we ignore those warnings at our own peril. Former Secretary of Defense Leon Panetta recently noted the potential of escalating cyber threats to culminate in a new “cyber Pearl Harbor; an attack that would cause physical destruction and the loss of life” and “paralyze and shock the nation and create a new, profound sense of vulnerability.”

America's critical infrastructure remains a prime target for cyber attacks that are rapidly escalating in terms of scale and sophistication. Failure to secure the sensitive networks that underpin our financial institutions, utilities, and government leaves our country vulnerable to attacks that could cripple our economy or endanger our national security. Enhancing our cybersecurity capabilities should be a top homeland security priority, and it is absolutely vital that we cultivate a robust cyber workforce to carry out that mission.

I share the Committee's “serious concerns” that our current cyber workforce training and recruitment efforts are inadequate to meet the scale of the threat. A recent SANS Institute report card found DHS is failing to utilize its full authorities to effectively recruit and retain cybersecurity personnel and neglecting to develop advanced in-house cyber skills. If our Nation is to have robust cybersecurity capabilities, we must cultivate a talented and well-trained cyber workforce capable of managing the protection of our government's networks and lead by example. That means we have to start educating people about the training and career opportunities in cybersecurity starting in our secondary schools and ramping up college recruitment.

When I consulted the Chairman on this matter, he said shared my view and that the Committee believes there has been too little strategic planning and too few resources focused on development of the current workforce and developing a future workforce pipeline. That is why the Committee directs DHS to leverage its existing network of 12 Centers of Excellence around the country to address workforce needs. The bill also directs the Secretary to work with her counterparts at the Departments of Veterans Affairs, Defense, and Labor to develop a veteran's cybersecurity workforce program targeting those veterans who are unemployed. Further it directs the undersecretary for the National Protection and Programs Directorate to look across other agencies to see where DHS could leverage existing cyber capabilities. The Chairman further acknowledged that this will continue to be a challenge and focus area across all Federal agencies and the Committee.

Even in my district, which is home to the one of the largest concentrations of technology firms in the country, rivaling that of Silicon Valley, we have a shortage of skilled

cyber warriors. In a wired 21st Century, the Federal Government must have the necessary tools to recruit, retain, and develop a first-class cybersecurity workforce. I look forward to working with the Committee moving forward to achieve that mission.

Mr. CONNOLLY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MORAN. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 534. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 535. None of the funds made available in this or any other Act for fiscal year 2014 and thereafter may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand-sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy and Centers for Disease Control and Prevention and Office of Personnel Management guidance.

SEC. 536. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 537. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations”;

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the “Administrator”).

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the “Sponsoring Entity”.

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a).

Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 538. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 539. (a) Not later than 180 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that either—

(1) certifies that the requirement for screening all air cargo on passenger aircraft by the deadline under section 44901(g) of title 49, United States Code, has been met; or

(2) includes a strategy to comply with the requirements under title 44901(g) of title 49, United States Code, including—

(A) a plan to meet the requirement under section 44901(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States in foreign air transportation (as that term is defined in section 40102 of that title); and

(B) specification of—

(i) the percentage of such air cargo that is being screened; and

(ii) the schedule for achieving screening of 100 percent of such air cargo.

(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 180 days thereafter until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

SEC. 540. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers’ and crews’ privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 541. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, \$10,000,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2014 for the purpose of providing an immigrant integration grants program.

(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 542. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 543. (a) For an additional amount for data center migration, \$34,200,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 544. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 545. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 546. The Commissioner of U.S. Customs and Border Protection and the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement shall, with respect to fiscal years 2014, 2015, 2016, and 2017, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President’s budget proposal for fiscal year 2015 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings U.S. Customs and Border Protection, “Salaries and Expenses” under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and U.S. Customs and Border Protection, “Border Security Fencing, Infrastructure, and Technology” under such title, and section 568 of such Act.

SEC. 547. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 548. The Secretary of Homeland Security shall submit to the Committees on Appropriations of the House of Representatives and the Senate, at the time that the President’s budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a report detailing the fiscal policy that prescribes Coast Guard budgetary policies, procedures, and technical direction necessary to comply with subsection (a) of section 557 of division D of Public Law 113–6 (as required to be developed under subsection (b) of such section).

SEC. 549. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, “Infrastructure Protection and Information Security”, \$199,725,000

for the “Federal Network Security” program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further*, That not later than April 1, 2014, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further*, That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies’ users: *Provided further*, That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2014, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2014, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107-347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 550. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 551. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel

of the United States continuously monitor or control the firearm at all times.

SEC. 552. Fifty percent of each of the appropriations provided in this Act for the “Office of the Secretary and Executive Management”, the “Office of the Under Secretary for Management”, and the “Office of the Chief Financial Officer” shall be withheld from obligation until the reports and plans required in this Act to be submitted on or before March 14, 2014, are received by the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 553. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 554. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within U.S. Immigration and Customs Enforcement.

SEC. 555. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 556. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 557. None of the funds made available in this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation for which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 558. (a) The Secretary of Homeland Security shall submit quarterly reports to the Inspector General of the Department of Homeland Security regarding the costs and contracting procedures related to each conference or ceremony (including commissionings and changes of command) held by any departmental component or office in fiscal year 2014 for which the cost to the United States Government was more than \$20,000.

(b) Each report submitted shall include, for each conference or ceremony in subsection (a) held during the applicable quarter —

(1) a description of its purpose;
 (2) the number of participants attending;
 (3) a detailed statement of the costs to the United States Government, including —

(A) the cost of any food or beverages;
 (B) the cost of any audio-visual services;
 (C) the cost of travel to and from the conference or ceremony;

(D) a discussion of the methodology used to determine which costs relate to the conference or ceremony; and

(4) a description of the contracting procedures used including —

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference or ceremony.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a conference or ceremony described in subsection (a) that is not directly and programatically related to the purpose for which the grant or contract was awarded, such as a conference or ceremony held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) None of the funds made available in the Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012.

SEC. 559. None of the funds made available in this Act may be used for pre-clearance operations in new locations unless the required conditions relative to these operations and contained in the accompanying report are met.

SEC. 560. In making grants under the heading “Firefighter Assistance Grants”, the Secretary shall grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

Mr. DENT (during the reading). Madam Chair, I ask unanimous consent that the bill through page 88, line 16 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Are there any amendments to that section?

The Clerk will read.

The Clerk read as follows:

SEC. 561. None of the funds made available in this Act may be used to establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, or to conduct any study relating to the imposition of such a fee.

SEC. 562. None of the funds made available by this Act may be used to eliminate or reduce funding for a program, project or activity as proposed in the President’s budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this Act.

SEC. 563. None of the funds made available by this Act may be used to approve a classification petition filed for or by a citizen or national of Brazil in order to render such individual eligible to receive an immigrant visa.

POINT OF ORDER

Mr. GOODLATTE. Madam Chairman, I make a point of order against section 563 of this bill. The section violates clause 2 of rule XXI, which prohibits legislative language in a general appropriations bill.

The Acting CHAIR. Does any Member wish to be heard on the gentleman's point of order?

The Chair is prepared to rule.

The gentleman from Virginia makes a point of order that section 563 proposes to change existing law in violation of clause 2(b) of rule XXI.

As recorded in Deschler's Precedents, volume 8, chapter 26, section 52, even though a limitation might refrain from explicitly assigning new duties to officers of the government, if it implicitly requires them to make judgments and determinations not otherwise required of them by law, then it assumes the character of legislation and is subject to a point of order under clause 2 of rule XXI.

The proponent of a provision assumes the burden of establishing that any duties imposed by the provision are already required by law.

The limitation proposed in section 563 declines to fund specified classification petitions filed by, or for, citizens or nationals of Brazil. In the opinion of the Chair, current law does not require the Department of Homeland Security to determine the citizenship or nationality of persons for whom classification petitions are filed.

Compliance with section 563 would require the relevant Federal officials receiving funds in this act to make determinations regarding nationality or citizenship of certain persons. The proponent of this provision has not carried the burden of proving that the relevant Federal officials are presently charged with making these determinations.

On these premises, the Chair concludes that the section proposes to change existing law.

Accordingly, the point of order is sustained. Section 563 is stricken from the bill.

Mr. BLUMENAUER. I move to strike the last word.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. BLUMENAUER. Madam Chairman, we are debating legislation that is critical to the safety of all Americans. One threat that often gets underplayed but which has been catapulted into the news recently is natural disaster.

Seventy-five percent of Americans live in areas that are at risk for some type of disaster—whether flood, fire, hurricane, tornado, landslide, or earthquake. In the past 2 years, the United States experienced 25 severe, extreme weather events that caused over 1,100 fatalities, \$188 billion in damages—far more than all of the domestic acts of terror in the last decade.

This legislation spends \$6.2 billion on disaster relief, \$5.6 billion of which is

emergency spending not subject to discretionary caps.

I strongly support the role of the Federal Government in disaster response, recovery, and prevention; but the costs of disaster relief are staggering, and they are growing—whether due to stronger and more frequent storms, climate change, increased development in harm's way, or an increase in disaster declarations.

To put these costs into perspective, Congress started in 2013 by passing the American Taxpayer Relief Act of 2012, which generated \$600 billion over 10 years in new revenue. Two weeks later, we passed the Superstorm Sandy supplemental, totaling \$60 billion—in total, all of that first year's revenue under that proposal.

In times of budget austerity, Congress should have a full understanding of how much money taxpayers are spending on disaster relief, recovery, and mitigation. Unfortunately, these expenditures are far from transparent. There are wildly varying estimates of what these costs may be. The OMB recently estimated that the Federal Government spent an average of \$11.5 billion per year from 2001 to 2011, but it included only funding specifically related to the Stafford Act and excluded the highest and lowest spending years, including \$37 billion for Hurricanes Katrina and Rita.

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Another analysis found we spent \$136 billion from fiscal year 2011 to 2013 on disaster relief, about \$45 billion a year and nearly \$400 per household per year on average. A 2005 study referenced the cost of \$1 billion per week from emergency response, public and private property damages, and business disruption. This calculation was made before Hurricane Katrina.

An accurate and comprehensive accounting of Federal disaster spending, as well as an estimate of future needs, will enable this Congress and future Congresses to make better decisions about how much to budget for these events and how to prioritize scarce Federal dollars.

Accurate information would also inform the ongoing conversation about ways to reduce this spending in the first place. Spending more money up front on mitigation and community resilience can reduce the need for disaster relief expenditures. The Multi-hazard Mitigation Council, in a congressionally mandated study, documented that \$1 spent on mitigation saved society an average of \$4 in avoided disaster costs.

I appreciate language in this legislation requiring FEMA to submit an expenditure plan detailing the use of funds for disaster readiness and support. I think it's an important step forward. But, frankly, I think the reporting requirement may be too narrow.

I would request that the chairman and ranking member would work with me as this legislation moves to con-

ference to expand the scope of the reporting requirement. We need FEMA to look comprehensively at Federal spending on disaster recovery, preparedness, and, yes, possibly prevention, and look at spending on all Federal programs, agencies and departments responding to and preparing for storms, flooding, fires, earthquake, drought and other disasters. FEMA should examine the reasons behind the rising costs and provide recommendations that may mitigate them going forward.

The inherent unpredictability of natural disasters makes exact congressional budgeting in this area very difficult, and my heart goes out to the committee and your staff. But it's clear disaster relief will continue to strain Federal budgets, particularly if the recent bout of extreme weather continues.

The first step towards finding savings will be to have an accurate accounting of these expenditures. We should take that step now in this legislation, and I would look forward to working with the committee if you're so inclined.

With that, I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I want to thank the gentleman for his comments, and I appreciate your concern and agree with you this is a topic of high concern to everyone. As you saw, our bill contains numerous oversight requirements to address these issues.

I look forward to working with the gentleman as the bill moves through the process to ensure that Congress has the most comprehensive information possible on the costs associated with natural disasters. And I agree that if there is a way to mitigate, we should look into that.

I look forward to working with you. Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, and I want to add my thanks to my colleague from Oregon for what he has said here tonight.

This area of disaster relief funding is one that has challenged us for a long time, getting accurate predictions and estimates of the needs from Democratic and Republican administrations and dealing with this under budget pressures here in this body.

But the baseline for any of this has got to be honest budgeting, realistic assessments, and we need to work on this going forward. So I'm interested in what the gentleman from Oregon says about the ideas that he has that might help us strengthen this, both the accurate accounting of expenditures for past disasters and also a better understanding of the mitigation potential.

I think both of those are important areas for exploration, and I certainly

will work with the chairman and with him in exploring this going forward.

Mr. CARTER. Reclaiming my time, I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

SEC. 564. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 565. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 566. Nothing in the preceding section shall remove the obligation of the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement to provide escort services necessary for a female detainee to receive such service outside the detention facility: *Provided*, That nothing in this section in any way diminishes the effect of section 565 intended to address the philosophical beliefs of individual employees of U.S. Immigration and Customs Enforcement.

SEC. 567. (a) The Secretary of Homeland Security shall submit to Congress, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report on purchase and usage of ammunition by the Department of Homeland Security, that includes—

(1) mission requirements pertaining to ammunition, including certification, qualification, training, and inventory requirements for each relevant Department component or agency and a comparison of such requirements to the requirements of Federal law enforcement agencies of the Department of Justice and the military components of the Department of Defense; and

(2) details on all contracting practices applied by the Department of Homeland Security to procure ammunition, including comparative details regarding other contracting options with respect to cost and availability.

(b) Beginning on April 15, 2014, and quarterly thereafter, the Secretary of Homeland Security shall submit a report to Congress that includes—

(1) the quantity of ammunition in inventory in the Department of Homeland Security at the end of the preceding calendar quarter, subdivided by ammunition type, and how such quantity aligns to mission requirements of each relevant Department of Homeland Security component or agency;

(2) the quantity of ammunition used by the Department of Homeland Security during the preceding calendar quarter, subdivided by ammunition type, the purpose of such usage, the average number of rounds used per agent or officer subdivided by ammunition type, and how such usage aligns to mission requirements, including certification, qualification, and training requirements, for each relevant Department of Homeland Security component or agency; and

(3) the quantity of ammunition purchased by the Department of Homeland Security during the preceding calendar quarter, subdivided by ammunition type, and the associated contract details of such purchase, for each relevant Department of Homeland Security component or agency.

(RESCISSIONS)

SEC. 568. Of the funds appropriated to the Department of Homeland Security, the fol-

lowing funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended:

(1) \$14,500,000 from Public Law 111-83 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(2) \$21,612,000 from Public Law 112-10 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(3) \$41,000,000 from Public Law 112-74 under the heading Coast Guard "Acquisition, Construction, and Improvements";

(4) \$32,479,000 from Public Law 113-6 under the heading Coast Guard "Acquisition, Construction, and Improvements".

(RESCISSION)

SEC. 569. From the unobligated balances made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, (added by section 638 of Public Law 102-393) \$100,000,000 shall be permanently rescinded.

SPENDING REDUCTION ACCOUNT

SEC. 570. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

Mr. FRELINGHUYSEN. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Madam Chair, I'd like to thank Chairman CARTER and Ranking Member PRICE on behalf of the residents of our region: New York, New Jersey, Connecticut, and the east coast.

Mention was made of disasters, and I want to thank the chair and all the committee members, and certainly the big chair, Chairman ROGERS, but particularly the Homeland Security Appropriations Committee for their working with us on behalf of our residents who continue to suffer. I just want to take this opportunity to thank you and show our appreciation.

There were some tough decisions that had to be made, and we are especially grateful to the staff of both sides of the aisle that worked with us to make life a little more bearable for our residents. And since this is the first appropriations bill since Hurricane Sandy, I just want to express my appreciation.

Also, Madam Chairman, I come from a 9/11 State. This committee is very important to urban areas. In this bill are greater protections for the residents of major cities and metropolitan areas. I'd also like to express my appreciation to Chairman CARTER and Mr. PRICE for making sure that different grants are there for first responders. If there are manmade disasters or any type of disasters, the funds are there.

I appreciate this opportunity, and I yield back the balance of my time.

Mr. CONNOLLY. Madam Speaker, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. I rise to invite the distinguished chairman of the committee and the ranking member to engage in a colloquy.

As a Member that represents a large technology community in northern Virginia, I share Chairman CARTER and Ranking Member PRICE's urgency for cultivating a robust cyber workforce, and I appreciate the committee's thoughtful report language identifying this as a Homeland Security priority, with specific actions for the Department to pursue so that they can lead by example. I look forward to working with them and their staffs on this vital initiative.

With that, I ask unanimous consent that the remainder of our colloquy be entered into the RECORD at this point.

I yield back the balance of my time.

The Acting CHAIR. The gentleman may not enter a colloquy into the RECORD.

Mr. CARTER. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, I thank the gentleman from Virginia and assure him that we will continue to work together on this issue.

With that, I yield back the balance of my time.

Mr. CONNOLLY. Madam Chairman, I ask unanimous consent to strike the last word.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY. Madam Speaker, I rise to invite Chairman CARTER to engage in a colloquy.

Chairman CARTER and Ranking Member PRICE have done a lot of good work to craft this bill in a bipartisan fashion that strengthens our ability to provide for the safety and security of our constituents' communities.

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As you know, this is a shared responsibility with local and State governments. I'm pleased to see this year's bill makes a significant investment in supporting the public safety activities of those partners. I rise to call attention to the elimination of the Office of National Capital Region Coordination and ask the committee's assistance in ensuring the department not only maintain, but demonstrably improve its collaboration with our local and State partners in the absence of this stand-alone office.

I share the committee's concerns with the performance of the Regional Coordination Office, which according to multiple GAO reports, has fallen considerably short of its goals. Two natural disasters of 2011—a record

snowstorm and an earthquake—showed that gaps in regional communication and coordination unfortunately still exist in the National Capital Region.

During my tenure on the Fairfax County Board of Supervisors, I was a founding member of the Metropolitan Washington Council of Governments' Emergency Preparedness Council. The attack on the Pentagon on 9/11 revealed gaping holes in even basic communication between the Federal Government and regional partners. For example, following the attack, the Federal Government allowed early release of all of its workforce with zero coordination with local governments, thus creating some of the worst gridlock in the history of Washington, D.C. Thankfully, a proposal to also close Metro that day was rejected or the situation would have been even worse.

This is not just any region of the country. This is the Nation's capital, and the number of Federal assets throughout the region demands that the Federal Government play an active role in coordinating preparedness and response efforts with our local and State partners. In fact, section 882 of the National Security Act of 2002 specifies that the department help assess, advocate for, and assist our State and local partners.

I would ask the chairman of the committee if it is the committee's intent to hold the department responsible for fulfilling those functions without this standalone office?

Mr. CARTER. Will the gentleman yield?

Mr. CONNOLLY. I yield to the chairman.

Mr. CARTER. Madam Chair, I appreciate the gentleman's question. The committee has long expressed concerns with the operation of the National Capital Region Coordination Office, and numerous GAO audits have confirmed our concerns that the office has been underperforming its potential to improve regional preparedness coordination. I share the gentleman's desire to improve collaboration across the National Capital Region with the Federal Government, and I know Administrator Fugate is committed to doing just that. I am confident that the coordination responsibility outlined in section 882 can be fulfilled within this reorganization under the Office of the Administrator.

Ranking Member PRICE and I are committed to making sure FEMA acts on the recommendations of the GAO to better meet with the requirements, and we will work to include you and other members of the National Capital Region delegation in that effort.

Mr. CONNOLLY. I thank the distinguished chairman.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CONNOLLY. I yield to the ranking member.

Mr. PRICE of North Carolina. I just want to echo the chairman on this point. We will work together and with

you and with Administrator Fugate to ensure that FEMA meets its coordination responsibilities with regard to the National Capital Region.

Mr. CONNOLLY. I thank the distinguished chairman and the distinguished ranking member and their staffs, and I yield back the balance of my time.

Mr. COLE. Mr. Chairman, I move to strike the last word in order to enter into a colloquy with Chairman CARTER.

The Acting CHAIR (Mr. HASTINGS of Washington). The gentleman from Oklahoma is recognized for 5 minutes.

Mr. COLE. As many people in this Chamber and around the country know, Oklahoma has had a particularly devastating period of time, and I want to begin by just thanking my colleagues on both sides of the aisle and, through them, their constituents for their prayers and their sympathy and their help because we certainly have received an extraordinary amount of help from the American people, from the administration, and from my colleagues here in this Chamber.

While most people have focused on the damage in my hometown of Moore, we actually had, Mr. Chairman, three tornadic events. On May 19, the towns of Shawnee and the small communities of Carney and Little Axe were hit. Two people died, hundreds of homes were destroyed, and there was extensive damage. The second one was the next day, the second episode, hitting the towns of Newcastle and Oklahoma City, in addition to my hometown of Moore, and that one cost the lives of 24 people, and I'll talk about that in just a second.

And then we had a third outbreak on May 31 that hit El Reno, Oklahoma, and parts of Oklahoma City that are in my district. This area actually spreads across several congressional districts. The first episode was largely in Mr. LANKFORD's district, the second largely in mine, and the third actually hit Mr. LUCAS's district, Mr. LANKFORD's district, and my district.

The single greatest loss of life, of course, was in my hometown of Moore. And so my colleagues understand the extent of the disaster, we not only had 24 dead, including 10 children, we had 33,000 people displaced in a town of 55,000; that is, they literally are not sleeping tonight where they were sleeping on the night of May 19. In addition, we lost two elementary schools, a school administration building, extensive damage to three other schools, the hospital, the U.S. Post Office, and hundreds and hundreds of businesses. So the employment base of the community was devastated as well.

The full extent of the physical damage in this area alone is not yet known. The initial estimates by the Oklahoma insurance commissioner are somewhere between \$2 billion and \$4 billion, but it will take awhile to actually get through this.

I have spent a lot of the last few days visiting with the people in the commu-

nities involved, particularly in Moore, but also in Little Axe and Newcastle and Oklahoma City, the other areas. Without the tireless efforts of the first responders from all of these communities and the surrounding area, we simply wouldn't have gotten through the horror of the experience.

The communities in question are extraordinarily close-knit and, sadly, are quite experienced in this kind of activity. My hometown of Moore has actually been hit by six tornadoes in 15 years, including two F5s, the highest category. One of the tornadoes in question, this latest incident, was actually the largest ever recorded, 2.5 miles across, with wind funnel speeds of up to 295 miles an hour. So it is extraordinary to behold.

As I understand it right now, as best we can estimate, there are no current needs for additional disaster funding; but the possibility, obviously, of other disasters and hurricanes, fires, earthquakes, what have you, the rest of the fiscal year always raises the possibility that the resources that are available will be strained, and I want to make it very apparent that if that were to happen, I will certainly be looking forward to working with my colleagues on both sides of the aisle to ensure that should similar misfortune befall other areas, that they, too, have the help that they need.

If I may, I yield at this time to my friend, the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security Subcommittee on Appropriations.

Mr. CARTER. I thank my good friend, Mr. COLE, for yielding.

The bill before us today builds on our actions of last year and includes robust funding for FEMA in the disaster relief category, funding that will most definitely assist those who lost so much in Oklahoma over the last few weeks.

As of this morning, the Disaster Relief Fund currently has a balance of approximately \$11 billion, which is sufficient to address the needs of Oklahoma and other recent disasters.

As Oklahoma begins the road to recovery, I will continue to work with the gentleman to ensure we are doing everything that we can to help the devastated communities. Our hearts go out to those folks.

Mr. COLE. I want to thank my friend from Texas whom I had the opportunity to confer with during recent days for his kind support and assurances. I know my friend would appreciate this. We sort of think of ourselves as Scotland to your England. And in football season, I always remind people that the Red River was an international border for 42 years, and every October it is again. But the reality is, when you're in a tough situation, you don't have any better neighbors in the world than our friends from Texas. And not just on this floor, but the outpouring particularly from our neighboring State in terms of volunteers and contributions, and, honestly, from all

across America, has been extraordinary.

I yield back the balance of my time.

Mr. SCHNEIDER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHNEIDER. I rise to lend my support to the underlying bill we are debating today. The Homeland Security appropriations measures make key investments in technology for our first responders, disaster relief funding for our communities, and critical grant funding for our local fire departments.

□ 1900

It is the centerpiece for how we invest, not only in our national security, but also in the security of our local communities.

Earlier this year, the district I represent was severely affected by regional flooding that damaged hundreds of homes and businesses. The impacts on families is a human one. Many lost their homes. Many lost their business and may not be able to reopen. This terrible situation highlights the tremendous need for disaster relief that is comprehensive and far-reaching.

FEMA helped many in my district to recover a small piece of their lives after the storms; and, consequently, I am happy to see that the committee included \$6.2 billion in disaster relief funding. This funding will be critical as we, in Illinois, continue the effort to rebuild our communities affected by the flooding, as well as for those in Oklahoma, New Jersey, and other areas as they rebuild after natural disasters.

I also applaud efforts by the committee to support \$1.5 billion allocated for FEMA State and local grant programs. Specifically, I would like to highlight a program that addresses the distinctive security needs of nonprofit groups, helping at the local level to safeguard human life and property against credible threats to the safety of our communities.

The Urban Area Security Initiative provides a funding source for targeted nonprofit groups to invest in their own security. These grants, typically utilized by churches, synagogues and community centers, are designed to acquire and install equipment that can help prevent and mitigate terrorist attacks in our communities.

Organizers use these grants to make capital improvements, such as installing security cameras, physical barriers, or controlled-entry systems, safeguards that can make a difference in deterring threats.

Recent incidents in Boston, New York, Wisconsin, and New Jersey highlight that credible threats to these pillars of our communities exist. The need for these grants is clear, and the impact in our communities can be profound.

I would like to thank the committee for its support of these critical programs that can be utilized by States

and local groups to address emerging threats and security concerns specific to their circumstance. I appreciate the bipartisan work done on this important bill.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Transportation Security Administration or a Visible Intermodal Protection and Response (VIPR) team to conduct a security screening other than pursuant to section 44901 of title 49, United States Code.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. GARRETT. Mr. Chairman, the TSA is not just for airports anymore. For years the TSA has deployed Visible Intermodal Prevention and Response, or VIPR teams, to conduct literally thousands upon thousands of unannounced, random sweeps of mass transit locations, ferry terminals, and highways across the country.

And while VIPR teams can show up virtually anywhere at any time, these random searches are typically not in response to any specific threat whatsoever.

And if you look into some of their team actions, they demonstrate this is really not security; this is just security theater.

For example, back in 2011, VIPR teams searched passengers at an Amtrak station in Georgia after the people had gotten off the trains and, obviously, they served absolutely no purpose with regard to security whatsoever.

And if you think that you can escape the TSA and keep some of your integrity intact by simply not going to the airport anymore, by taking a bus, a train, driving your car, well, you're sorely mistaken. VIPR teams now randomly are pulling cars and trucks off the road. They did it down on Tennessee highways where they did a search, costing the drivers there countless hours and fuel as well.

And VIPR teams conducted a similar operation to search vehicles leaving a port down in Brownsville, Texas.

You see, the reach of the Transportation Security Administration, the TSA, has now expanded to such other areas and has even moved beyond transportation and has moved into sports stadiums as well.

How do we know that?

There was an article in, if no place else, the Huffington Post, where they reported back in January that the TSA was patrolling the Metrodome in Minnesota following a Vikings/Packers game. And you have to ask yourself, to what end?

A Los Angeles Times article revealed, despite conducting thousands upon thousands of operations:

TSA officials say there is absolutely no proof that these roving VIPR teams have foiled any terrorist plots or thwarted any major threat to public safety.

You see, Mr. Chairman, we cannot afford to continue to fund a program that, by its very own admission, has absolutely no record whatsoever of preventing a threat to public safety. And that is why I'm offering this amendment, to prevent funds from being made available to the VIPR teams to conduct searches outside of an airport.

As we come to the floor, always as good stewards of American taxpayers, Congress should not fund the expansion of TSA responsibility, especially when we know these operations are more appropriately handled by local law enforcement agencies at the various levels of government.

This, I think, is truly a commonsense approach. This is a commonsense amendment, and it helps the TSA do its core function more efficiently and protect American air travelers.

I yield back the balance of my time.

Mr. CARTER. I rise in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I appreciate the opportunity to work with the gentleman on this issue, but I cannot accept this amendment.

Following the 2004 Madrid train bombing and the 2005 London bombings that targeted civilians using public transportation, Visible Intermodal Prevention and Response, or VIPR teams, were developed to allow TSA to utilize Federal, State, and local law enforcement to protect our Nation's transportation system, including securing our surface transportation systems from the threat of terrorism.

TSA's Surface Transportation Security is responsible for assessing the risk of terrorist attacks for all non-aviation transportation modes. And the VIPR teams, which are specifically authorized in the 9/11 Act, play an important role in protecting our Nation's surface transportation systems.

Simply put, the presence of these teams is intended to promote confidence in our Nation's transport system by preventing terrorism to any mode of transportation, including surface transportation. Now is not the time to eliminate this important program which serves to secure our surface transportation systems from acts of terrorism.

Mr. GARRETT. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from New Jersey.

Mr. GARRETT. So I agree with the gentleman that we should add confidence to our travelers; but I would ask the gentleman from Texas what confidence can we have in a program that, by its own admission, says they have not foiled a singular terrorist plot; by its own admission says that they are screening people after they got off the train instead of before they get on; by its own admission says that

these programs are not mandatory, and that means that when you go to a rail station, and you see them there, if you were a true terrorist then you would say, I'm not going to get in that line, I'm going to go over in that line.

Mr. CARTER. Reclaiming my time, let me say that I listened to what you said before, and you don't need to be repetitive. I understand your concerns. And quite honestly, they're valid concerns; and I will, as chairman of this committee, with the assistance of Mr. PRICE, look into these arguments that you have made.

But at this time I cannot accept your amendment. And I don't need to hear the arguments a second time to accept your amendment. So I'm opposed to this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to join the chairman in opposing this amendment. This amendment would prohibit any funding from being utilized by our mobile Visible Intermodal Protection and Response teams, the VIPR teams.

These teams provide the ability for TSA to randomly screen passengers on mass transit and in our airports. They also work in concert with State and local law enforcement agencies. They provide a surge capacity beyond the local capability in order to be able to respond to intelligence information and special situations.

It's also important that exercises be conducted on a regular basis in order to test the concept of operations and develop the essential working relationship with local authorities.

As the chairman indicated, in our assessments after the attacks in Madrid and London, it became clear that we lacked the capability, lacked the ability to rapidly respond to threats quickly and to react with a show of force against potential threats. That's precisely the purpose of these VIPR teams.

The concept was authorized specifically by section 1303 of the 9/11 Act, a bill that passed this House with 371 votes.

We will address these problems, as the chairman has indicated, problems that the gentleman has identified, problems that deserve to be addressed. We will address the issues that you raise.

□ 1910

You, obviously, have legitimate concerns. But none of what the gentleman has said is an argument for eliminating the funding and for removing an important deterrent capability.

I yield to the gentleman from New Jersey.

Mr. GARRETT. I appreciate the fact that you would take a look at this. Would that this be the first time that

I brought this bill to the floor and raised the egregious examples by the TSA in the past, I would hold some more weight to that, the fact that you would look at it. But this has been going on for years now.

To your point saying that we need them when there are specific threats, what TSA has told us is they're not doing this when there are specific threats. They're doing them random. They're going into sports stadiums for no particular reasons. They're going along highways for no particular reasons. They're stopping trucks for no particular reasons. Not because of a specific threat, but just because of random applications of it.

If this was a situation where we said we know there was a known attack coming or something of that sort and you want to apply it there, that would be one thing. But that's not what TSA does.

At this point in time, we are living in a country where, if you want to travel, you can go to the airport and they can say, you can't travel unless you go through TSA. But if I want to visit my mom in Florida, they can go to the train station and tell me I can't get on a train without going through TSA. And I can go to a bus station, and they can say I can't go on a bus without going through TSA. And I can get into my car and they can tell me that I cannot go in a car without going through TSA.

We have come to a point I cannot travel in this country without some Federal agency actually stopping me.

Mr. PRICE of North Carolina. Reclaiming my time, with all due respect, I believe the gentleman is exaggerating the kind of situation that ordinary travelers encounter. I also understand, and hope he does, that these VIPR teams, if there's going to be the search capacity, if they're going to be there to respond to specific intelligence information, then they're going to have to remain in operation. It's certainly warranted for random collection and checking situations that may be problematic. I'm not saying there would never be abuses, never be intrusive behavior. But we need to correct that, not to come in with a meat ax and eliminate the funding.

So I simply reiterate my opposition to the amendment and ask our colleagues to vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. PIERLUISI

Mr. PIERLUISI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce section 1301(a) of title 31, United States Code, with respect to the use of amounts made available by this Act for the "Salaries and Expenses" and "Air and Marine Operations" accounts of U.S. Customs and Border Protection for the expenses authorized to be paid in section 9 of the Jones Act (48 U.S.C. 795) and for the collection of duties and taxes authorized to be levied, collected, and paid in Puerto Rico, as authorized in section 4 of the Foraker Act (48 U.S.C. 740), in addition to the more specific amounts available for such purposes in the Puerto Rico Trust Fund pursuant to such provisions of law.

The Acting CHAIR. The gentleman from Puerto Rico is recognized for 5 minutes.

Mr. PIERLUISI. Mr. Chairman, I offered this amendment last year, and it was adopted by voice vote. However, it was not included in the final Consolidated Appropriations Act enacted in March.

The homicide rate in Puerto Rico is about three times higher than any State, and most of these murders are linked to the international drug trade. Appropriately, the Federal Government is allocating substantial resources to combat drug trafficking organizations operating in the Central American corridor and along the Southwest border. However, those organizations are adapting, returning to smuggling routes through the Caribbean region that were heavily utilized in the 1980s and 1990s. As a result, the Coast Guard seized or disrupted over 17,000 pounds of drugs in the vicinity of Puerto Rico in 2012, a 600 percent increase over the previous year.

DEA seizures rose nearly 100 percent. CBP seizures were up nearly 40 percent. And in 2012, CBP seized more drugs in Puerto Rico than it did along the 180-mile border between Mexico and New Mexico. Meanwhile, the street price of drugs in Puerto Rico has decreased. This is a security problem of national scope, given that 80 percent of the drugs that enter Puerto Rico are subsequently transported to the U.S. mainland, where they destroy communities and lives.

Through various bills and accompanying reports, the House Appropriations Committee has expressed a view that DHS and DOJ should prioritize counterdrug efforts in the U.S. Caribbean to respond to the current crisis. As a case in point, the report for the 2013 DHS appropriations bill stated that the public safety and security issues of the U.S. territories in the Caribbean must be a priority, and that the committee expects the Secretary of Homeland Security to allocate resources, assets, and personnel to these jurisdictions accordingly.

U.S. Customs and Border Protection is on the front lines of the counterdrug fight. The agency has hundreds of personnel stationed in Puerto Rico. My amendment is designed to address a problem that arose in fiscal year 2011, one that continues to compromise the ability of CBP to carry out its vital counterdrug mission in Puerto Rico.

For over a century, Federal law has provided that the collection of certain duties and taxes in Puerto Rico by CBP or its predecessor agencies will be deposited in something called the Puerto Rico Trust Fund. Pursuant to the law and an implementing agreement between the Puerto Rico government and the Federal Government, a significant portion of that money is also used to fund certain Federal operations in Puerto Rico, including the maritime operations of CBP's Office of Air and Marine.

For many years, this arrangement worked well enough. However, because of a shortfall in the Puerto Rico Trust Fund of \$1.7 million due to reduced customs collections in fiscal year 2011, CBP closed a critical boat unit in San Juan that in 2010 seized over 7,000 pounds of illegal drugs. CBP took this drastic action because it has interpreted current Federal law to require that it use either the Trust Fund or general congressional appropriations to fund its operations, but not both.

The amendment would simply give CBP the authority to supplement any funding from the Trust Fund with general appropriations made in this bill. This would make it easier for CBP to avoid any further reductions to its operations in Puerto Rico and, ideally, enable the agency to enhance those operations. The need for this amendment is underscored by the fact that the President's fiscal year 2014 budget predicts Trust Fund receipts of \$98 million, which is \$8.1 million less, or nearly 8 percent below Trust Fund receipts in fiscal year 2012.

I look forward to working with the chairman and the ranking member to ensure that this amendment, if adopted, remains in the final bill this year and to continuing to work with them to ensure the Department of Homeland Security, including CBP, has the resources it needs to adequately address the border protection challenges and drug-related violence in Puerto Rico.

I yield back the balance of my time.
Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I accept this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I, too, commend the gentleman for his amendment and urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Puerto Rico (Mr. PIERLUISI).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) add the following:

SEC. ____ . None of the funds made available by this Act may be used to implement any change in the list of sharp objects prohibited under section 1540.111 of title 49, Code of Federal Regulations, from being carried by passengers as accessible property or on their person through passenger screening checkpoints or into airport sterile areas and the cabins of a passenger aircraft, as published in the Federal Register on August 31, 2005 (70 Fed. Reg. 51679).

Mr. GRIMM (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from New York?

There was no objection.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. I rise today in support of my amendment that would prohibit any funds made available by this act from being used by TSA to implement changes to the current list of prohibited carry-on items for air travel.

□ 1920

Specifically, this amendment would stop TSA from allowing knives back on planes for the first time since the terrorist attacks of September 11, 2001.

Today, following months of outrage from nearly every corner of the aviation community, and with our amendment looming tonight to block the policy, TSA abandoned its proposal to allow knives back on planes. I do commend TSA for reversing its irresponsible decision for one that is smart and prudent. However, we still need to pass this amendment tonight to make sure this is the law of the land and ensure that there will not be another reversal in the TSA's position regarding knives on planes.

We live in a post-9/11 world, and there is no excuse to take liberties when it comes to public safety. As a former Federal law enforcement agent, I know firsthand that even a two-inch knife can cause very serious harm when used by a trained individual. There's simply no place for a knife in an airplane cabin; and if one must travel with a knife, then they can check it in a bag.

Over the last 2 months, my colleagues and I have heard from flight attendants, air marshals, pilots, TSA screeners, and a whole host of airlines who are all 100 percent in agreement that allowing knives to be brought into the cabin of passenger planes is dangerous, it's unnecessary, and it's irresponsible.

Further, we've heard a chorus of objections to TSA's misguided proposal from groups such as the Coalition of Flight Attendants Union, Federal Law Enforcement Officers Association, Coalition of Airline Pilots Association, and American Federation of Government Employees, along with American Airlines, Delta Airlines, United Airlines, U.S. Airways and, most importantly, the American people. Their opposition makes it clear that permitting knives on planes creates unnecessary risk for airline passengers and those serving them at 30,000 feet.

In advocating for this change, TSA Administrator Pistole has stated: "There have been no attempts by terrorists to use a knife to commit a terrorist act aboard an aircraft since 9/11." Well, the way I see it, this should be a great indicator that the current policy is working and needs to be kept in place and not repealed. Simply stating that there haven't been any terrorist attacks with knives on planes since 9/11 does not mean that the terrorists won't carry them out in the future.

I want to thank my cosponsors of this amendment—Representatives MARKEY, COOK, SWALWELL, REED, ROSLEHTINEN and WASSERMAN SCHULTZ—who have stood in strong opposition to TSA's decision to jeopardize America's security.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SWALWELL of California. Mr. Chairman, as the gentleman from New York pointed out, over the last 11 years we have had zero attacks on our airlines where a knife was involved. Zero attacks. That number cannot get better. However, as we saw on September 11, that number—tragically—can get much worse.

So I rise in support of the Grimm-Markey-Cook-Swalwell-Reed-Jackson Lee amendment, which would prevent the Transportation Security Administration from changing its prohibitive item list—also known as the PIL—and allowing small knives on airplanes. I want to thank the amendment's cosponsors for their hard work on this issue.

I also want to thank TSA Administrator John Pistole. Administrator Pistole announced today that the TSA will not allow knives on airplanes. I think this is a strong step forward. And after listening to the stakeholders, his position is now that these knives should not be on airplanes.

Like many Americans in our country, I was deeply concerned and confounded when the administrator announced that they would consider allowing knives on airplanes. We saw after September 11 that, as my friend from New York mentioned, zero attacks occurred in our country.

We do now have new threats. The threat from liquids or IEDs could seriously jeopardize the safety of airlines and the passengers who ride on them. However, just because we have new threats that are posed against our airline safety does not mean that we should no longer consider old threats. The TSA must learn how to walk and chew gum at the same time.

So I was proud to work with my friend from New York to organize a letter, along with Congressman THOMPSON, as our ranking member on Homeland Security, and objected to that policy—in particular, the failure of the TSA to consult with the key stakeholders who would be most affected by this change, such as flight attendants, passenger safety groups, and transportation screening officers as well. The letter had a total of 133 Members signing on to it. Congressmen GRIMM and MARKEY also organized a subsequent letter with a similar number of Members who signed on to it.

Just like my friend from New York, I also worked in law enforcement prior to coming to Congress. I worked as a local deputy district attorney in the district attorney's office in Alameda County. I also served under this Capitol dome as an intern when September 11 happened. I know what terrorists can do if they have a mission to hurt passengers. I also know, as a prosecutor, what a knife can do in a close, confined area. It's not difficult then to understand why so many Members chose to sign on to our letter.

TSA's mission, I want to remind the people of this body, is not only to protect the airline passengers from a terrorist attack; it's also to protect passenger safety in general.

TSA justified its decision by saying that it would allow the TSOs to move more quickly. However, when you put a limit now on what length of knife would be allowed, what the TSOs effectively become are NFL referees measuring first downs. You can imagine the scene. You have a knife coming through. The TSO can't determine how big it is, so he's got to take out the measuring tape, holding up a long line, preventing him from looking at liquids or other explosives and whether they could bring down an airline. And then he's got to declare if it's allowed or not, all the while bags are still moving through to be screened. This would actually make it harder to detect liquids than make it easier, as the TSA had announced.

Had the TSA meaningfully consulted with the stakeholders before announcing its proposal, these issues would have been addressed. But I do appreciate Administrator Pistole and his decision to put the policy on hold to give more time for input. And I appreciate his decision today stating that he no longer will allow knives on board.

Our amendment reaffirms the current ban of knives on planes. It would prohibit the TSA from making the change it had proposed and now has backed away from.

Our amendment is supported by a number of groups, including the Coalition of Flight Attendants Union, International Association of Machinists and Aerospace Workers, International Brotherhood of Teamsters, Coalition of Airline Pilots Association, and American Federation of Government Employees.

It's important that we pass this amendment today to show that the House stands with these groups and the flying public in rejecting knives on airplanes.

I again want to thank my colleagues who are cosponsors of this amendment—Mr. GRIMM from New York, Mr. MARKEY, Mr. COOK, Ms. JACKSON LEE and Mr. REED. I appreciate their efforts.

I encourage all Members to support our amendment, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. To the managers of this important legislation, to Judge CARTER and to Mr. PRICE, thank you for working on what is an enormously important message and mission of our Nation, and that is to secure America.

I'm grateful to have the opportunity to work with the authorizers, Chairman MCCAUL and Ranking Member THOMPSON, and to work with the ranking member and chairperson of the Subcommittee on Transportation Security, Mr. HUDSON and Mr. RICHMOND.

Having just flown in from a memorial, and as Members often do, and as we interact with our constituents, we know a lot about flying. So it is very important that this amendment be taken as it has been offered.

I congratulate my cosponsors—Mr. GRIMM, Mr. MARKEY, Mr. REED, Mr. SWALWELL and Mr. COOK—all of whom we have worked together with.

For it is interesting that this has come to a point where today we can thank Administrator Pistole for his thoughtfulness in this process and the deliberations that took place, that the announcement comes that he too understands that allowing knives on planes is not the right decision.

But in addition to the important statement of knives, we now know that other accessories, such as baseball bats and billiard cues and ski poles and hockey sticks and la crosse sticks, among others, and golf clubs, likewise have been included in his statement.

This amendment deals with knives. The reason why this is very important is because we should reaffirm the fact, as a member of the Homeland Security Committee—and for many of us who started on this committee after the heinous tragedy of 9/11, many of us who went to Ground Zero during the recovery period because of the horrific tragedy, smoke was still billowing from those terrible tragic issues—we too know what homeland security is. It is a promise to America to do everything

we can to ensure the security of the homeland.

□ 1930

And so it is important to take note of Administrator Pistole's very thoughtful concern, and that concern, of course, was the idea of security. This amendment will give comfort to the issue of security.

We know there are issues of safety. We want to make sure that seatbelts are on, and we want to make sure that seats work and bathroom doors work on a plane in flight. We want to make sure that passengers remain in seats during difficult weather.

But security is an important question. And today, this amendment takes a stand for security. I am glad that after 9/11 we did have reinforced doors for the cockpit, we did have the ability of pilots to be trained and to be able to have weapons on board behind that cockpit—all in the name of security. Well, let me tell you, that a knife that has been measured by the eye, that then is allowed to get on the plane, it can be a weapon against security.

And today, we are saying that we need to codify in law the idea that knives will never be allowed to be on planes. Human beings are in the cockpit, our very able pilots. And flight attendants and passengers, grandmas and family vacationers and college students and business persons and our warriors, both wounded and not, and many others travel on airplanes, going home to loved ones, traveling to funerals, and going to joyful occasions.

It is very clear that a knife can be a threat to security. It can be a threat to security because, in fact, even as our valiant flight attendants who have been given required flight attendant training, which we are continuing to work on, they will be the first to stand up against an individual attempting to take a plane or to be able to threaten all of the passengers, to create an insecure atmosphere. And who knows what pilots will be thinking of, will be required to do? Who knows what an unmanned, un-air marshaled plane, or even one with an air marshal, will do when there are a number of those who are on the flight with knives.

So I ask my colleagues to vote for security and vote for the Grimm-Markey-Jackson Lee-Reed-Swalwell-Cook amendment to keep knives off of planes.

I yield back the balance of my time.

Mr. Chair, I want to thank Congressman MARKEY, GRIMM, WASSERMAN SCHULTZ, ROSLEHTINEN, REED, SWALWELL, and COOK, my cosponsors on this important and bipartisan amendment.

This simple, commonsense amendment, which will keep knives off commercial airplanes, will save lives and increase air transportation security by making it the law of the land.

Mr. Chair, this amendment is needed because on March 5, 2013, the Transportation Security Administration publicly announced its intention to permit passengers, effective April

25, 2013, to bring previously banned items in their carry-on baggage when boarding flights.

Under the new policy proposed by TSA, prohibited items that would be permitted effective that date include items that are potentially dangerous, even lethal, to passengers, flight attendants, pilots, and Federal air marshals, including hockey sticks, lacrosse sticks, golf clubs, and, alarmingly, some knives.

Those of us who were in the Capitol that day remembered with shock and horror how the terrorists who attacked the United States of America on September 11, 2001, used box cutters, small knives, and razor blades to threaten and overpower crew members and pilots on commercial airplanes in order to gain access to the cockpits.

After learning of the action contemplated by TSA, me and more that 135 of my House colleagues wrote the TSA Administrator and urged him unsuccessfully to reconsider changing the PIL to permit knives on planes.

In light of this unhelpful response, I introduced H. Res. 156, a bipartisan resolution with my colleague, Congressman GRIMM of New York, which expresses the House's disapproval of the Transportation Security Administration's decision to modify the prohibited items list, set to take effect on April 25, 2013, that would allow passengers to bring small knives in their carry-on baggage.

More importantly, the resolution strongly expressed the sense of the House that TSA delay any changes to the Prohibited Items List indefinitely and should conduct a formal engagement process involving all of the affected stakeholders and has meaningful consultations with affected air travel industry stakeholders, including flight attendants.

After engaging in the process called for in my resolution, TSA today announced that it was abandoning its efforts to change the PIL to permit knives on planes.

Mr. Chair, allowing passengers to carry knives on planes could be fatal to flight attendants.

Beyond the terrorist threat posed by knives on planes, knives can become deadly threats in the hands of unruly passengers.

Changing TSA policy to allow knives on planes is not efficient.

Instead of the simple rule of "No Knives," TSA screeners will be required to check for all of the parameters set by the TSA as acceptable. This will increase waiting times, not shorten them.

Mr. Chair, on April 9, 2013, the nation was reminded of the terrible harm that small knives can inflict on victims when a mass stabbing occurred on the campus of Lone Star College in Houston, Texas, which is in my congressional district, during which the suspect used a razor utility knife and severely injured 14 people.

The American public, air travel industry stakeholders, and Federal air marshals strongly disapprove of allowing knives on planes because it puts their lives at risk.

This amendment enhances security and will save lives. That is why it is necessary and supported by:

Coalition of Flight Attendants Unions
Association of Professional Flight Attendants
Association of Flight Attendants-CWA
IAMAW (Machinists and Aerospace Workers)

Transport Workers Union Local 556, International Brotherhood of Teamsters

Coalition of Airline Pilots Association
American Federation of Government Employees.

I urge all Members to join us in supporting this amendment.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I rise in support of the amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am also not going to object to this amendment given TSA's decision of this afternoon, the decision that has, I believe, made the amendment largely irrelevant. I do want to express my appreciation for the concerns addressed here tonight by the sponsors of this amendment and the stakeholders that many of us have heard from.

I want to take just a second, though, to underscore that TSA did not propose these changes haphazardly. The proposal that is being attacked here tonight and that has been reversed here today by the agency, that proposal was the result of a risk-based approach to TSA's security requirements.

I also remind the House that the current TSA administrator, Mr. Pistole, is a 26-year veteran at the FBI. I've been impressed by his willingness to stand by the data, stand by what objective analysis dictates, whether that means reconsidering a regulation or insisting that it remain in place.

Since the International Civil Aviation Organization changed its standards to prevent passengers from carrying small pocketknives in 2010, more than 5 billion commercial airline passengers on a flight originating outside the United States have traveled without incident.

And I do think it's ironic, Mr. Chairman, that after all these years of Members complaining about long wait times and passengers having to take off their shoes and their coats and their belts, they have to take out those laptops, take out those liquids, that TSA now does something to speed up security lines and suddenly Members want to reverse that decision on the floor of this House. I hope we are not going to get into the habit of overturning risk-based decisions, threat-based decisions on the floor of this House.

But as I say, the amendment before us is now largely irrelevant, so I have no objection to its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RYAN OF OHIO

Mr. RYAN of Ohio. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to pay the salary of any officer or employee of the Department of Homeland Security who approves any of the following petitions:

(1) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-130, Petition for Alien Relative, in a case in which Brazil is the beneficiary's place of birth (as provided on such form).

(2) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-129F, Petition for Alien Fiancé(e), in a case in which Brazil is the alien fiancé(e)'s country of citizenship (as provided on such form).

(3) A Department of Homeland Security, U.S. Citizenship and Immigration Services, Form I-140, Immigrant Petition for Alien Worker, in a case in which Brazil is the country of citizenship or country of nationality (as provided on such form) of the alien for whom the petition is being filed.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Chairman, as has been read, this doesn't allow petitions for relatives, fiances, or workers coming from Brazil.

And I first want to say thank you to Judge CARTER—Chairman CARTER—and Mr. PRICE. We passed a very similar amendment out of the Appropriations Committee that was dinged here a little bit earlier. This is a narrowly tailored version of that.

I rise today not because I want to. Many of us come here because we want to offer amendments. I don't necessarily want to offer this amendment. But I'm offering this amendment on behalf of Major Karl Hoerig. And I would like to tell the House of Representatives a brief story about Karl, who flew 200 missions for our country in Iraq and Afghanistan.

On March 10 of 2007, Major Karl Hoerig's wife went out and bought a .357 Magnum and went to a shooting range. She purchased ammo and asked, "what ammo can I buy here that best kills." Two days later, Claudia Hoerig shot Major Karl Hoerig in my congressional district.

She fled to Brazil, where she was from. She could not be extradited, so we were told, because we don't have a treaty with Brazil in order to extradite their citizens, which would make sense. But later throughout the investigation, we found out that in August of 1999 Claudia Hoerig renounced her Brazilian citizenship and said she was a citizen of the United States, which gives us every right to have her come back and extradited back to the United States.

□ 1940

Now, this woman shot a war hero. She renounced her Brazilian citizenship, and she now is drinking Rum Runners in Rio de Janeiro, walking around freely in Brazil while Carl Hoerig's family is sitting in Newton Falls, Ohio—his brother, his parents—wondering why we can't bring this woman back into the United States for justice.

Now, many people would say, Well, why are you offering an amendment? Why are you trying to defund visas? It's because I've been working on this since 2007. I've got a stack of letters here that go back to Alberto Gonzales—now, many Members of this Congress don't even know who he was—then Condoleezza Rice, then Secretary Clinton, on and on and on to try to get the attention of people, and it takes an amendment in the Appropriations Committee to say we're not going to be able to fund visas anymore.

I don't have any problem with Brazil—we've got a good relationship with them—but they have a woman who killed one of our airmen who flew 200 missions to Iraq and Afghanistan. If you want to talk about a safe haven: if the kids from the Boston massacre a few weeks back instead of going to the 7-Eleven had got on a flight and had gone to Brazil, they'd be sitting in Brazil right now, and we wouldn't be able to get them back here.

I recognize that these are extraordinary actions, but there is a long process ahead before this bill becomes law. We've gotten the Brazilians' attention, and now it's time for us not to take the pressure off, but to allow this process to continue until Claudia Hoerig is back in the United States and getting prosecuted in Trumbull County, Ohio.

It should be known, too, to this House that al Qaeda is setting up shop in Brazil—planning attacks, training people in Brazil right now—and we have no mechanism. If someone were to commit a terrorist act here in the United States and flee to Brazil, we would not be able to get him back.

I think this amendment sends a signal to the Brazilians, hopefully in the long term, to renegotiate treaties and to talk of extradition, but also in the short term to get Claudia Hoerig back into the United States. I would just like to end, Mr. Chairman, with a quote from Carl Hoerig's dad, Ed Hoerig.

He said:

Our government is supposed to be the most powerful country in the world, and they are turning their back on a 25-year veteran. It's wrong. When you say the Pledge of Allegiance, the last sentence is “. . . and justice for all.” They are turning their back on my son's justice.

Let's right this wrong, Mr. Chairman, and pass this amendment.

I yield back the balance of my time.

[From the Weekly Standard, Apr. 7, 2011]

AL QAEDA IN BRAZIL?

(By Jaime Daramblum)

The Brazilian magazine *Veja* is reporting that al Qaeda members have established an active presence in South America's largest country, as have militants associated with Hezbollah, Hamas, and other terrorist groups. They are apparently engaged in fundraising, recruitment, and strategic planning. Earlier this week, Aldo Donzis, a leading figure in the Argentine Jewish community, spoke to the JTA news agency and voiced alarm about the revelations.

“We have high concern about fundamentalist movements in Latin America and

about recruitment activities of fundamentalist movements,” Donzis said. “We shared this information with Latin American parliamentarians last July and they agreed with our information. But the situation is getting worse. In Argentina, we have seen graffiti written in Arabic calling for jihad which coincided with the visit of Iranians here. Also, this graffiti was seen in Bolivia. We understand that Brazil needs to feel worried and act.”

Terrorists have long found haven in South America's so-called Triple Frontier, which encompasses the intersection of Brazil, Argentina, and Paraguay. This area is known for being a Wild West of lawlessness, drug trafficking, and organized crime. Argentina is especially sensitive to increased terrorist activity in the region. During the 1990s, it suffered two deadly bombings orchestrated by Hezbollah and Iran. The first (in 1992) destroyed the Israeli embassy in Buenos Aires; the second (in 1994) demolished a Jewish community center in the same city.

Speaking of Iran, the head of U.S. Southern Command, General Douglas Fraser, testified before the Senate Armed Services Committee on Tuesday and declared that “Iran continues expanding regional ties to support its own diplomatic goal of reducing the impact of international sanctions connected with its nuclear program. While much of Iran's engagement in the region has been with Venezuela and Bolivia, it has nearly doubled the number of embassies in the region in the past decade and hosted three regional heads of state in 2010.”

General Fraser expressed concern that “there are flights between Iran and Venezuela on a weekly basis, and visas are not required for entrance into Venezuela or Bolivia or Nicaragua.” He also confirmed that “members of violent extremist organizations from the Middle East remain active in Latin America and the Caribbean and constitute a potential threat. Hezbollah supporters continue to raise funds within the region to finance their worldwide activities. Several entities affiliated with Islamic extremism are increasing efforts to recruit adherents in the region, and we continue to monitor this situation closely.”

Yet another reason for the Obama administration to rethink its passive approach to Latin America.

[From the Telegraph, 3 Apr. 2011]

BRAZIL LATEST BASE FOR ISLAMIC
EXTREMISTS

(By Robin Yapp)

With preparations for the 2014 World Cup in Brazil and the 2016 Olympic Games in Rio de Janeiro well under way, security experts have expressed fears that terrorists are “taking advantage” of weaknesses in the country's laws.

Brazil has not passed any specific anti-terrorism legislation, does not recognize Hezbollah or Hamas as terrorist groups and disbanded the Federal Police's anti-terrorism service in 2009.

Now, *Veja*, a weekly news magazine, has had access to reports compiled by the service as well as documents about the terrorist threat sent to Brazil by the FBI, CIA, Interpol and the US Treasury.

It says the papers show 21 men linked to Islamic extremist groups including al-Qaeda, have been using Brazil for various purposes including controlling inflows of money and planning attacks.

They include Khaled Hussein Ali, who was born in Lebanon but now lives in Sao Paulo, Brazil's biggest city, from where he runs an internet cafe.

However, according to *Veja* he is also in control of an online communications arm of al-Qaeda called Jihad Media Battalion,

which has a presence in 17 countries around the world and spreads communications from al-Qaeda leaders as well as publicising attacks.

Another of those named is Mohsen Rabbani, an Iranian wanted by Interpol as the suspected architect of bombings on Jewish targets in Buenos Aires in the 1990s that killed 114 people.

According to the documents, he frequently slips in and out of Brazil on a false passport and has recruited at least 24 youngsters in three Brazilian states to attend “religious formation” classes in Tehran. “Without anybody noticing, a generation of Islamic extremists is appearing in Brazil,” said Alexandre Camanho de Assis, who coordinates Brazil's network of public prosecutors across 13 states.

The papers also show that the US Treasury described the poorly policed Tri-border area, where Brazil, Argentina and Paraguay meet, as a “financial artery” for Hizbollah. Daniel Lorenz, a former head of the Federal Police's intelligence department and now Security Secretary for the Federal District, that includes the capital Brasilia, warned that Brazil risks being caught out. “The terrorists are taking advantage of the fragility of Brazilian legislation,” he said.

Mr. COLLINS of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COLLINS of Georgia. I must reluctantly oppose this amendment. I do not want to minimize in the least the unacceptable nature of the present state of affairs, and I do not want to minimize in the least the brute fact that a murderer is presently escaping justice. I also do not want to minimize the service that this man gave to our country. As a chaplain in the Air Force and as a pastor for over 11 years, it has been, unfortunately, my duty on many occasions to have to deliver news of one who has either been killed in action or of one who has died tragically. With that, my heart bleeds and my heart hurts for this family. In this situation, I commend my friend from across the aisle for his dedication to bringing this person to justice; and right now there is the inescapable fact of a problem going on.

However, the remedy proposed by the author of this amendment raises issues of such magnitude that they need to be resolved through regular order, through the Judiciary Committee's hearing and markup process.

I, personally, pledge to work with Mr. RYAN to examine in the Judiciary Committee the issues of foreign nations' compliance with extradition requests. On behalf of Chairman GOODLATTE, I pledge to examine the possibility of withdrawing the right of nationals of non-cooperating countries to enter the U.S. Certainly, our Crime Subcommittee has the expertise on the extradition issue and the Immigration and Border Security Subcommittee has the expertise on immigration.

This is not the first time we have faced such troubling issues. For instance, it is very often the case that foreign nations refuse to accept the return of their citizens who have been ordered deported to the U.S. The DHS' Office of Inspector General reported:

As of June 2004, more than 133,662 illegal aliens with or pending final orders of removal had been apprehended and released into the United States . . . unlikely to ever be repatriated if ordered removed because of the unwillingness of their countries of origin to provide the documents necessary for repatriation.

Some of those aliens, from countries such as China, have gone on to kill Americans once released.

Last Congress, the Judiciary Committee considered legislation by Mr. POE that would have withheld temporary visas from nationals of countries that would not accept back their deported citizens. It is important to note that the legislation would not have just impacted a single foreign country, but would have penalized all bad actors on an equal basis.

I do need to mention that there are also humanitarian concerns with implementing this amendment. In 2012, over 11,000 Brazilians received green cards—immigrant visas. Among these Brazilians were 8,000 “immediate relatives” of U.S. citizens—the spouses, minor children and parents of U.S. citizens. So we just have to keep in mind that by enacting this amendment we would be preventing thousands of U.S. citizens from reuniting with their Brazilian spouses, children, and parents.

Again, it is with a hurt heart that I have to rise in opposition to this amendment, but the good intentions of the gentleman from across the aisle do not override the larger concerns when dealing with this proposition in the issue of your amendment. So with that and for these reasons I have set out, I must oppose this amendment, but I do look forward to working to resolve this distressing situation with the author.

I yield back the balance of my time.

Mr. RICHMOND. I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. I stand in support of my colleague from Ohio.

Part of being a legislator and part of having the responsibility of being elected to this body and representing people back home is you have the use of the tools that are in front of you to accomplish the goals that you need to accomplish. As we stress regular order and as we talk about the Judiciary Committee, right now, today—right here on the floor of this House—we have the ability as Congressmen to make a difference for a family whose hero was killed. We know who the perpetrator is, and nothing is being done about it.

So I share in my colleague’s frustration, and I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman, and I am going to be brief.

Again, I want to thank Chairman CARTER, and I want to thank Mr. PRICE and just say that I believe this is a homeland security issue. This is an appropriate venue for that. As the gentleman from Louisiana said, there is a

level of frustration here because we have been working on this, pursuing regular order now since 2007, and we have gotten nowhere. As I said, this woman is walking around in Brazil as a free woman when Carl Hoerig, who flew almost 200 missions for our country, is dead.

This process has a long way to go. We’re not anywhere close to this bill’s becoming law. We’ve got a lot of time between today and that day. So let’s work today to try to increase the pressure to try to get justice for Carl Hoerig and to try to make this situation right.

Again, I thank everyone. I don’t want to be here offering this amendment, because of the situation; but I promised this family I would do everything in my power to get justice for their son and to get this woman. So help me God, I’m going to do everything I can to get this woman back here whether it’s this bill or bills in the future. So I ask the Members of this House to please, please, please support this amendment on behalf of Carl Hoerig in his service to our country.

Mr. RICHMOND. I yield back the balance of my time.

Mr. SALMON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SALMON. I would like to commend the gentleman from Ohio for standing so strong for an American patriot. I believe his motives are extremely noble and good, but I don’t believe this is the right way to handle it.

I am the chairman of the Western Hemisphere Subcommittee on Foreign Affairs. Brazil comes under my purview. While we have points of trouble with all of our bilateral relationships, we don’t necessarily throw the baby out with the bath water.

□ 1950

This is an extreme measure. It would punish a lot of very innocent people who my colleague spoke of right before me, innocent people that are trying to immigrate or come work or study in the United States from Brazil.

I want to commit to the gentleman from Ohio that, as the chairman of the Subcommittee on the Western Hemisphere, I will do everything within my power to work with him, if it requires hearings, whatever it takes. I want to help you bring justice. I do not believe that this is the right way to do it. In fact, I think it would be very counterproductive in our relationship with Brazil.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. RYAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RYAN of Ohio. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. CASSIDY

Mr. CASSIDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 5. None of the funds made available in this Act may be used to implement, carry out, administer, or enforce section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)).

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. CASSIDY. Mr. Chairman, the Biggert-Waters Flood Insurance Reform Act was passed in order to make the flood insurance program both actuarially sound and functionally sound. And we hope that it is on track to make it actuarially sound, but it is not functionally sound, so this attempts to address this.

What this bill would do is that section 207—and only 207—would not allow it to be implemented for 1 year. After that, it would begin to be implemented.

Let me first say that the CBO has scored this as zero, and it has no impact upon the Federal Treasury.

The reason to do this, though, is that FEMA does not yet have the methodology by which to implement this program. Indeed, there was a GAO report from 2008 which shows that FEMA’s rate-setting process warrants attention. As it turns out, they haven’t updated it since 2008. So their over 20-year methodology still does not apply.

As it turns out, families are being terribly affected. There’s one family in Louisiana which has never flooded and yet has a 6,000 percent increase in their premium. Clearly, this has grave implications for this family, but, as it turns out, it has turned their whole real estate market upside down. People can’t build and people can’t sell. There is an uncertainty there created by the implementation of this particular section.

Let me emphasize that this is only section 207. All other sections continue, and the CBO score is zero.

Knowing that others would like to comment upon this, I yield back the balance of my time.

Mr. RICHMOND. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. RICHMOND. Back home, I’ve talked to thousands of my constituents and had thousands of my constituents talk back to me, scream back to me, and cry in my arms because of the impact of this legislation. Right now what they’re facing is a double whammy when it comes to flood insurance. They face the likelihood of higher rates and incorrect flood maps.

FEMA has drafted new maps that completely ignore the facts on the ground. The maps disregard non-structural features, like marshland and forest and our investment into restoring our coast. It also ignores the investment and sacrifices by locals to build their own levees. These communities are investing in their own safety, in their own security, and FEMA should recognize that.

In many of these communities, like the west side of St. Charles Parish, the levees are more than 100 years old, and many of these communities have not flooded in 100 years. If that's not 100-year flood protection, I don't know what is.

You see, for too long, the National Flood Insurance Program wasn't on stable footing. Since the last long-term authorization expired in 2008, we had to pass nine short-term extensions. During that time, the program lapsed five times. The last time, in June of 2010, approximately 47,000 home sales were delayed or canceled.

Due to the leadership of my colleague, Representative WATERS, last July we passed the Biggert-Waters Flood Insurance Reform Act. The bill put the program on stable footing for 5 years, but the rate increases FEMA has quoted are astronomical and unintended. Homeowners who played by the rules and built their homes according to the guidelines in place are being told that their insurance is going to go up hundreds of percent. What is even more shocking is that many of these homes have never flooded.

For instance, a homeowner in St. Charles Parish, Louisiana, who was paying \$338 per year for flood insurance will now have to pay \$23,000 per year with new maps. Another homeowner in the same town will go from \$365 to \$28,000 per year.

If this stands, people will be forced to give up their homes, burdening the banks and killing the real estate markets. We cannot, in good conscience, stand here and let this law force people to give up their homes, to give up on the American Dream and destroy hardworking, taxpaying citizens. These taxpayers depended on and followed the rules and lost. We cannot turn our backs on them.

I have a bill that will fix much of this without a score, and I'm proud that Representative WATERS and the entire Louisiana delegation have signed on. The homebuilders and the Realtors support this amendment and my bill.

This amendment would give homeowners immediate relief. Therefore, I urge you to join me in supporting this amendment so that we can fix these issues while keeping the National Flood Insurance Program on sure footing and make sure that we don't leave hardworking families across the Nation on their own. Because, as we come here and do things in theory, a lot of times we miss what happens in reality and what's on the ground; and if the we don't change this law, reality is going

to set in and people are going to lose their homes. They won't be able to sell them, and we will create another disaster of national proportion with unintended consequences that we never tried to do.

I ask that we support my colleague in this amendment, and I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Mr. Chairman, this kind of reminds me of a story about a World War I Navy veteran that went back home to Ware County where he loved to coon hunt. And this gentleman, after having being injured, got a wooden peg leg. One day, he took his boys out. They were all around the campfire. It was kind of cool that night. They were waiting for the dogs to tree one. So he got a little bit close to the fire, and it burned about 8 inches off of his wooden peg. So all of a sudden, the hounds start baying, and he gets up and starts running. He ran about 20 yards and turned around and said, "Watch out, boys. There's a hole every other step."

There's some holes in what this amendment is trying to do. First of all, you've got to remember that this bill was just passed a year ago, and it was the Biggert-Waters Flood Insurance Reform bill, where we're trying to reform the flood insurance program. Let me remind people that 406 Members voted in favor of this, and every Member that I see down here that is talking to try to relieve this voted for the bill. Everybody in the Louisiana delegation, everybody in the Mississippi delegation, everybody in the New York delegation—with the exception of one—and everybody in the New Jersey delegation voted for it.

This bill was passed by a unanimous vote, bipartisan, because everybody realized, especially after the effects of Katrina and others, where, in 2005, before Katrina, they had a credit card limit of \$1.5 billion, after Katrina, we raised that credit card limit to \$20 billion. After Sandy, we raised the credit limit another \$10 billion. So right now we've got \$30 billion on our credit card. And you know what? In 2017, that has to go back to \$1 billion.

If you look at the amount of money that we've had to borrow to pay for this—and I voted for the \$9.7 billion because it's an obligation that I think that we had to the people that had flood insurance. That was an obligation that we have.

But the way most insurance works is that if you are at a higher risk, you pay a higher premium. If, for some reason, my car keeps running into things accidentally, my car insurance is probably going to go up. And anybody that has extenuating circumstances, whether you're in a fire zone or whatever it is, your insurance rates are based on that.

□ 2000

The difference is, unfortunately, that the government fashioned, the government-run flood insurance program does not require homeowners in flood-prone areas to pay for their fair share. In fact, premiums in flood-prone areas are so low that FEMA has needed a bailout, as I mentioned, three times in the last 8 years.

Due to FEMA's failures last year, Congress passed a bipartisan Biggert-Waters bill of insurance reform. It was supported, as I mentioned, by these delegations. This landmark 5-year authorization is something that even people here said, We need to do this. In fact, I will quote:

It is imperative that Congress act as quickly as possible to pass a 5-year extension of flood insurance so that policyholders can have some assurance moving forward.

This is by one of the authors of the amendment.

Section 207 does something that no other flood bill has done before. It says that homeowners in flood zones must pay an amount that accurately reflects their risk of flooding. Notably, Congress recognized this section may place a burden on some homeowners in flood-prone areas. So, to address this concern, section 207 specifically stated that the rate increase must be phased in over 5 years, not to exceed a 20 percent increase each year. The outcome is commonsense reforms that are supported by Republicans and Democrats, alike, that balance concerns of homeowners and taxpayers.

Now, I'm no supporter of the government-mandated flood insurance, but these are bipartisan reforms that you don't often see passed in Washington. Let's don't back up. Let's keep going forward. The Biggert-Waters Flood Insurance Reform Act was designed to get FEMA out of this constant bailout, but to be fair to people who experienced frequent flooding. Importantly, these bipartisan reforms were enacted less than a year ago in the Financial Services Committee. We have not even held a hearing on the implementation. This does not need to be in an appropriations bill. It needs to go back to Financial Services and let us look at it.

I yield back the balance of my time. Ms. WATERS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I rise in support of this amendment offered by the gentleman from Louisiana (Mr. CASSIDY). I am pleased to say that my colleagues, Mr. CASSIDY and Mr. RICHMOND, and I have worked to address this important issue in an ongoing, bipartisan way.

The National Flood Insurance Program was created in 1968 after record flooding led the private sector to abandon the flood insurance market and stop writing flood insurance policies. The program is a key component of the

Federal Government's efforts to minimize the damage and financial impact of floods. It is the only source of insurance against flood damage for most residents and provides much-needed coverage for 5.5 million homeowners and their families.

This is why I worked across the aisle with my colleague, Representative Judy Biggert, to reauthorize this program. Before this reauthorization, the flood insurance program was plagued by repeated lapses in authority, placing many local communities at risk. During those lapses, FEMA was not able to write new policies, renew expiring policies, or increase coverage limits, causing great uncertainty for millions of homeowners who depend on the program's existence.

The Biggert-Waters bill was instrumental in stabilizing the flood insurance program. It provided a 5-year reauthorization and made critical improvements to the program. The reforms in Biggert-Waters gave communities more input into flood maps and strengthened the financial position of the flood insurance program.

In drafting this bill with then-Chairwoman Judy Biggert, I sought to strike the right balance between protecting homeowners and strengthening the flood insurance program. This law was intended to reauthorize the flood insurance program in a sustainable way. The intent was not to impose punitive or unaffordable rate hikes that could make it difficult for some to remain in their homes. You heard the testimony from Mr. RICHMOND about the incredible increases in the premium costs. This is why I am extremely concerned about reports that homeowners in certain areas are facing high and unsustainable flood insurance rates.

I have committed to work with FEMA and with my colleagues here in Congress to address this unintended consequence of this otherwise helpful legislation, so I am supporting the gentleman's amendment today. This would prohibit FEMA from using funds made available in this act to implement one provision from Biggert-Waters that has raised an unintended consequence and requires further study before being implemented.

While the gentleman's amendment is a positive first step in addressing this issue, more needs to be done.

Last month, my friend from Louisiana, Mr. RICHMOND, and I introduced H.R. 2199, the Flood Insurance Implementation Reform Act of 2013, a bill on which Mr. CASSIDY is an original co-sponsor, that would take additional steps to provide meaningful relief and address the issue of affordability. The bill would delay implementation of changes to grandfathered rates, the subject of Mr. CASSIDY's amendment, for 3 years instead of 1 year. It would also delay implementation of the rate changes that FEMA is currently rolling out.

I look forward to continuing to work with my friends on both sides of the

aisle to ensure that the Biggert-Waters Act is implemented in a balanced way to ensure the flood insurance program's stability and affordability. FEMA's current implementation schedule would upset that delicate balance and unintentionally impact families and local communities.

For these reasons, I urge my colleagues on both sides of the aisle to support H.R. 2199 and to also vote "aye" on this amendment.

Let me just say to those who would represent that we all voted for it: so since we voted for it and we worked together, we worked across the aisle, Democrats and Republicans working together, that somehow we can't make amends or changes that are desperately needed, working together. I think it is extremely important when you have Mr. CASSIDY over there and you have WATERS over here, one of the original authors of the bill, who are talking about something has happened, unintended consequences that have taken place that will cause homeowners to lose their homes.

Now, it's easy if this does not happen in your communities or in your districts. But, ladies and gentlemen, I want you to know that this is an interdependent business that we're in, and to the degree we recognize other people's problems and we're willing to stand up and give support, particularly when it talks about homeownership, when it talks about that which is so important to all of us, that we should work together, and I would urge an "aye" vote.

I yield back the balance of my time. Mr. MULVANEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. MULVANEY. I rise today to speak against the amendment. And I think there's one thing that has been overlooked in this debate so far, Mr. Chairman, which is not only was this provision in the bill originally in order to bring sustainability to the flood program, it was also designed to bring fairness to the flood program.

What do I mean by that?

Yes, the original bill was designed to raise flood rates on some people. It was also designed to lower them on other people. You heard the gentleman from Louisiana properly state that this amendment would have no score, have no impact. The CBO scored it at zero. No impact on the deficit; no impact on spending. Absolutely true.

The underlying language in the bill was scored the exact same way. When we passed this bill last year, that provision scored out at zero because the CBO assumed, on its own—it's not required by statute to do this, but it did this on its own. The CBO assumed that when rates went up on some people, they would go down on others. That seems to make a lot of sense; doesn't it? That we would have an insurance program that would actually charge

folks more who are in riskier areas, but also seek to charge people less who are in less risky areas. I think that's important. I think it bears stating that if this amendment passes, yes, folks who live in high-risk areas will see lower premiums, but the folks who live in low-risk areas will see higher premiums.

We have a chance here to bring some sanity to something in a government program. We have a chance to bring reason and rational thought to this government program by saying people who are in riskier areas should pay more. Are there protections there? Yes. Are they necessary? Absolutely. But at the end of the day, this program was designed to bring some sanity to this flood program, which is why so many people, myself included, voted for this originally.

I absolutely think this is well-intentioned. I disagree with the impression that these are unintended consequences. These are the exact intended consequences of the underlying bill, that we would simply charge folks who are in risky areas more.

□ 2010

If you live 7 feet below sea level in New Orleans, your rates probably should go up. If you live 600 feet above someplace else, your rates possibly should go down.

I think it's important to know that, yes, there are people in my State who will pay more because of this law. There are also people in my district who will pay less, and that will be turned on its ear if this amendment passes.

So I would encourage us to consider that what we did last year was accurate and correct and brought some much-needed sanity to this program.

With that, I yield the balance of my time, Mr. Chairman, to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I thank the gentleman for yielding.

And let me just say that, you know, FEMA—this does not go into effect this year. In fact, the Louisiana FEMA has been told not to give out these rates because they don't know, they've been trying to do a flood map for 30 years.

Now, if we think a 1-year extension is going to help them, we're misleading ourselves. And, in fact, from my legislative experience, when you extend it for 1 year, then you're asked to extend it again. Look at the student loans. We extended it for 1 year, now they want to extend it for 2 more. It's a constant extension.

My experience has been most court cases are settled on the courthouse steps when the pressure is put on both people to settle.

I think that this is bringing to a head the fact that FEMA needs to get their act together, along with the Corps, and get these flood maps done. By us giving them another year extension, it's not going to do anything but delay us getting these updated maps for another

year. I promise you, that's the way government works.

So we need to understand that, on the one hand, we're saying, well, FEMA has given out all these new rates. It's going to go to 20,000 bucks or whatever it is.

But on the same hand we're saying hey, they don't have the capability of doing a flood map. You can't have it both ways. You know, either FEMA can do it or they can't do it.

But we need to do this through the Financial Services Committee, where the ranking member, the gentlelady from California, was a big part of what we did in the Biggert-Waters bill. And so why don't we take it and go back through Financial Services, where this bill came from, rather than trying to do it through an appropriations bill?

That's the reason this process is so messed up here that we try to do things like this.

So, my concern is that this is the wrong place to try to amend this bill. We need to have hearings. We need to have oversight of FEMA and find out how the implementation of this bill is going, and put the pressure on FEMA and the Corps to finally get these maps straightened out.

But for somebody to have a home that's 7 feet below flood level and pay \$329 a year in a premium doesn't make sense.

I yield back the balance of my time.

Mr. GRIMM. I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Mr. Chairman, I rise today in support of the amendment offered by my friend and colleague, Mr. CASSIDY. I'd also like to thank my colleagues across the aisle, Ms. WATERS and Mr. RICHMOND, for their support.

I do want to clarify one thing, because I think that the statement was made that it's not an unintended consequence for premiums to go up and go down, and that is true. But the unintended consequence that we're speaking about is the consequence that many of those that have lived in these areas for 40 or 50 years are suddenly going to lose their homes because of an extreme rise in premiums upwards of \$15,000 and more. So that's the unintended consequence. I just wanted to make sure that that was clear.

And I know this, not because I, myself, live on the coast in a flood area, but because Superstorm Sandy left a trail of utter destruction in New York City, particularly in Staten Island and parts of Brooklyn, a destruction that was absolutely unprecedented in the city's history.

Tens of thousands, tens of thousands of my constituents found themselves homeless. Their lives were turned upside down, and they're wondering how they're ever going to rebuild or ever move forward. Quite simply, many of my constituents lost everything to Superstorm Sandy, and it will be years

before their lives return to any sense of what I would consider normal.

So to ask these victims of a natural disaster who find themselves in this horrible position, through no fault of their own, to pay upwards of \$15,000 a year in a flood insurance premium so soon after this disaster took everything from them amounts to nothing more than them being victimized yet again.

So if these premiums were to go into effect, the reality is simple. For many of my constituents, they're going to find themselves unable to pay both their mortgage and their flood premiums. And their property, in the best case scenario, will lose considerable value. But in the worst case it will become completely worthless. This, to me, is unacceptable.

And this is why I support delaying the implementation of section 207 of the Biggert-Waters Act, so that Congress will have the time to reexamine and look at these rate increases and consider ways to ensure the future viability of the flood insurance program while, at the same time, ensuring that flood insurance remains affordable to those that need it most.

So I ask my colleagues to consider all that these individuals have been through, all that they have lost, and bring some understanding to the unintended consequence of not only losing everything they've ever owned, but now, because of flood premiums, possibly losing the entire value of their home.

So I ask for their support on this amendment.

I yield back the balance of my time.

Mr. MURPHY of Florida. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. I yield my time to Ranking Member MAXINE WATERS.

Ms. WATERS. Thank you very much.

I would like to thank Mr. GRIMM for his eloquent description of precisely what can happen and what is happening, and his plea to all of us to ensure that we don't place people in the position of losing their homes because they cannot afford these extraordinary increases in premiums.

I met with residents from Plaquemines Parish who came to the Congress of the United States. All the elected officials and community leaders came together, and they came here to make a plea to us to understand that, with this increase in premiums, they certainly can't afford it, and they can't afford to sell it because nobody is going to buy it.

So Mr. GRIMM talked about victimization and the fact that we would be victimizing people who are victims of natural disasters twice, and that's precisely what it's all about. And I think that we are more caring than that.

I think that we understand that there's still a lot of things to be worked out. The flood maps have not

been completed. The pricing has not been really dealt with, and so I think we need time. We need time in order to answer these questions, to deal with the complexities of what we're trying to do.

I think we can stabilize flood insurance. I think that is possible. But I, as one of the authors of this bill, I'm also making a plea to say that we did everything that we could to try and have a bill that's sustainable, that's viable, that makes good sense.

But as we review what is going on and the risk and the harm that people are now confronted with, we're saying, let's take a step backwards for a short period of time and let's give these victims, and other victims in other areas of this country, an opportunity to at least hold on to their homes and not have them literally taken away from them because we didn't realize these unintended consequences.

I yield back the balance of my time.

Mr. SCALISE. I move to strike the last word.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. SCALISE. Mr. Chairman, I rise in strong support of Congressman CASSIDY's amendment. I want to touch on a few things. First of all, when we talk about the need for reforms to the National Flood Insurance Program, there were many things that needed reform. In fact, the program had expired, lapsed, in some cases for a few hours, for a few days, multiple times over the last few years.

That's an inconsistency that I don't think any of us want to see in our economy when it literally meant home sales would have to be canceled. Realtors that were preparing to have a house sold, somebody that was buying a house, selling a house, couldn't even do that because banks require, in many cases, that flood insurance be attached to the mortgage.

□ 2020

And if there was no program for flood insurance, that means somebody couldn't even buy or sell a house. So it had an incredible disruption in our economy. But there's also the importance of making sure that the program is sustainable. When you look at what is flawed in the interpretation of FEMA, as we stand right now, a year after passage of the law, FEMA has admitted themselves they're not ready to implement the changes in the law.

I want to mention a few communities in particular because it highlights the problems that have maybe been misrepresented or maybe just not even understood by some people when they wonder about this program.

I'll use some examples of communities in my district in coastal Louisiana. Houma Terrebonne, for example. The Houma Terrebonne flood protection system was a system that was built by the people in those communities. It wasn't a Corps of Engineers

project. That community did not flood in Hurricane Katrina, did not flood in Hurricane Rita. It didn't flood in Hurricane Isaac. And yet if you look at what FEMA has done with a community like that, they don't even recognize that that flood protection exists. They decertified that levee; and so everybody in that community who never flooded, they never filed a claim.

There's this perception out there that these are people who flooded multiple times. These people in this community never flooded, even during Katrina, Rita, and Isaac; and yet FEMA has decertified their levee and said, basically, they don't have a levee. So somebody who's behind the levee protection system that worked for Katrina, FEMA has said that levee system doesn't exist. That person now is being faced with currently maybe a \$500 premium that FEMA is telling them is going to go up to \$15,000 a year.

Does anybody really think that a family making maybe \$40,000, who has a home that never flooded, they never filed a claim, and now FEMA is going to tell them you have to pay \$15,000 a year just for your flood insurance? I think one of the reasons CBO said there's no score on this is they recognize that person can't pay that \$15,000 premium. You've literally made that home worthless—a home that never flooded and that's behind the flood protection system.

The irony is let's look at the Corps of Engineers certified flood system. Go look at New Orleans. The New Orleans flood protection system that failed during Katrina, flooded thousands of households, caused tremendous devastation and loss of life, that's a certified levee. That system failed to certify. The Houma Terrebonne system that never failed, that never flooded, is decertified by FEMA. You're going to tell those people they have to pay \$15,000 or \$20,000 a year for flood insurance when they never flooded? And their system works.

The same thing with the Larose to Golden Meadow Hurricane Protection System. FEMA, under their interpretation of that law, is saying that levee doesn't even exist. Let me show you a picture. This is during a storm recently. You can see the floodwaters here; and yet behind that levee system the Larose to Golden Meadow Hurricane Protection System, these people didn't flood. All you see is green grass here. There's no water because they didn't flood. FEMA has said this flood protection system doesn't exist.

So these people who never flooded, who haven't filed a claim, they're not a burden to the system. They're paying premiums to the system right now. They're actually helping to try to get it back into the black. FEMA is saying this levee system doesn't even exist, so now these people have to pay maybe \$20,000 a year in flood insurance. Again, they can't pay \$20,000 a year in flood insurance. Nobody that's not a millionaire can do that. And so they'll walk

away from that home. The bank will have to absorb that mortgage. And so their homes are basically going to be deemed worthless, even though their flood protection system works today. They never flooded.

By the way, this one, the same like Houma Terrebonne, the Larose to Golden Meadow Hurricane Protection System didn't flood in Hurricane Katrina, Hurricane Rita, or Hurricane Isaac. They didn't file a claim, and yet their system is decertified.

This is a flawed and broken system. It's the reason CBO says there's no score to this. Because the way it's being implemented is unworkable. And even FEMA is admitting this isn't ready for prime time. So this amendment is needed to say let's go back and actually make a system that works. Fix the problems with the system. But you don't go and punish the people that played by all the rules and never even filed a claim.

So I support the amendment, urge my colleagues to do so as well, and I yield back the balance of my time.

Mr. PALAZZO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Mississippi is recognized for 5 minutes.

Mr. PALAZZO. I rise today to ask my colleagues to support this bipartisan amendment to the Homeland Security Appropriations act. I want to thank Representative CASSIDY, Representative WATERS, Representative SCALISE, Representative RICHMOND, and the many others who support this amendment.

This amendment would provide relief for many homeowners across the Nation facing significant increases in their flood insurance premiums because of the Biggert-Waters Flood Insurance Reform Act of 2012. Many facing these steep increases are still recovering from devastating storms in recent years, such as Hurricanes Katrina, Isaac, and Sandy. And some can see increases as steep as 25 percent per year.

While I believe it is imperative that the NFIP program remain solvent so that flood insurance remains available to those who need it the most, changes can be implemented in a more compassionate and gradual way. The severe way in which these rates are increased under current law will place a heavy financial strain on families, small businesses, and new home buyers. The fact is we need more time to study how these rate changes will affect Americans.

This amendment to the Homeland Security Appropriations bill gives FEMA more time to complete an affordability study and to review the impact that these rate increases would have on homeowners. It keeps NFIP solvent while implementing changes in a compassionate manner that keeps flood insurance available.

I strongly urge my colleagues to support this amendment, and I yield to the

gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. I thank you for yielding the time, and I'll be very short.

Let me say to my colleagues who oppose this bill that this does not repeal the entire law. This just repeals that portion which is not actuarially sound. We did vote for an insurance program, but we voted for one that was functional and, again, actuarially sound.

I'll make it clear: this does not repeal section 205. Those that built below code or in flood zones, knowingly violating local code, will still pay the penalty. This is for 207 for folks who have never flooded, who've done it right, who've built behind flood protection, to code, and yet in some cases, because of actuarially flawed methodology, they will be paying up to \$20,000.

By the way, I did vote for this bill, but not to force an inaccurate, dysfunctional system which the GAO has criticized homeowners that are trying to live their life. There should be sanity and fairness. But that sanity and fairness should be addressed to having something which is actuarially sound.

One of my colleagues said, Wait a second, some will pay less and some will pay more. Actually, some may pay less, next year pay more, and then pay less again. Because they're being judged by systems which, again, are not sound.

We speak so often here of bringing certainty to business. Let's allow business to know what is going on. Why not have that same principle with homeowners? Let's get the actuarial process in which we judge their risk sound and then we can tell them their premium is high, their premium is low. Right now we're telling them it's going to fluctuate up and down because the method by which we judge them is so poorly designed.

So I do urge passage of this amendment, both for the sake of proving we can have functional government, as well as for the sake of these homeowners who are going to be terribly affected if we do not do so.

Mr. PALAZZO. I yield back the balance of my time.

Mr. COLLINS of Georgia. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. COLLINS of Georgia. I yield to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I do appreciate the gentleman yielding.

FEMA has already stated that their staff in Louisiana were wrong to provide these estimates based on inaccurate and incomplete information. They have already said that. In reality, no one knows—not FEMA, not any of my colleagues—how much folks in those flood zones will pay for premiums under section 207. It's still being evaluated. Flood maps change after every flood, and they're going to continue to do it because of development and more impervious surface and other things

that cause flooding to create in different areas.

There is an appeal process that you can go through; but the best place to do this is where it originated, which is in the Financial Services Committee, not as an amendment on an appropriations bill.

How many hearings have been held on this amendment? None. We're always talking about regular order. That's our cry, Regular order. Why don't we go through the regular process, go through the same committee that this bill originated out of and see if there's not some oversight that we can offer to FEMA to make sure that these people are not hit with these high premiums and that everybody gets on the same page and we understand that if these improvements have been made by cities and counties or homeowners, that they need to be taken into consideration. But this is not the way to do it.

□ 2030

We talk about unintended consequences. I think this bill was 75 pages long. I can read section 207 if you want me to, but it's pretty plain in what it says. There are no unintended consequences to this. This is exactly what it said.

If you want to talk about revisiting unintended consequences, let's look at the 2,800-page Affordable Care Act. We can look at some unintended consequences then. But this is plain and simple. This isn't asking to create another agency or board or commission; this is trying to make FEMA and the Corps do their job on this mapping. This is the wrong place, it's the wrong time, it's the wrong bill to do this.

I would work in a joint effort with these people to try to bring some resolution to this problem. But you've got to remember that these fees do not come into effect this year, and nobody knows what they're going to be.

You know, the Congress is either at stop or knee-jerk reaction. This is something that needs to be carefully thought out. It needs to go through the subcommittee, the committee process.

The chairman has promised that he is going to review this and look at the implementation of it. If we believe in regular order, let's give the system time to work, and let's put it in the committee where the work was originally done.

With that, I just hope that it will be a "no" vote on this, that it can go back to the committee that Ms. WATERS and others have put in a bill. Let's go back, let's review it, let's look at it, let's bring FEMA in, and let's do some oversight—which is our responsibility in the Financial Services Committee, not the Appropriations Committee.

Mr. COLLINS of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. GRAYSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GRAYSON. Mr. Chairman, I speak in favor of the amendment. And I yield to my colleague, the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Chairman, we've heard talk about if we believe in regular order. Some of us believe in regular order—most of us believe in regular order—but I think everybody in this body believes in homeownership, and the fact that it's your biggest, safest investment; you pass it down generation to generation. And those people who work, sacrifice, save money to buy a home—we ought not change the rules in the middle of the game with a system that's dysfunctional, it doesn't work. But at the same time, we say that we value the sanctity of homeownership and the American Dream.

So what we're asking here today is that we just back up a little bit. Because part of what leadership does is that sometimes you make a decision that has consequences that weren't foreseen or that are not ready to be implemented. But the true sign of leadership is that you back up and say, let's get it right, not let's do it just for the sake of doing it because we were already going down that road—when it's the wrong road.

The biggest question is: What message are we going to send to those people in New York, Louisiana, and all of those red dots on the map that Representative CASSIDY had, what message are we sending to them? Yes, you saved to buy a home. Yes, you pay your insurance. But now we're going to raise your insurance so high you can't afford that home anymore. What are they to do, walk away from the home? Now it's on the banks, now it's on the community. We have more blighted property. That's not what we should do as a body representing the people, representing our constituents.

I would just say that it's not wrong, it's not unusual, and it's a strong sign of leadership to say, hey, we may have gotten this one wrong. Let's review it. Let's make sure we're being fair. And let's make sure that we protect the American Dream as Congress people. So that's all I'm asking.

With that, Mr. Chairman, I would just re-urge my colleagues to support the amendment.

Mr. GRAYSON. I reclaim my time, and I yield to the gentlelady from California (Ms. WATERS).

Ms. WATERS. The gentleman from Georgia talked about there are no unintended consequences, and he attempted to speak for me, one of the authors of the bill. I just think that he does not understand that we put in a lot of work on this bill. We worked in a bipartisan way. And if one of the authors of the bill tells you there are unintended consequences, then I think the gentleman from Georgia cannot dispute that.

Let me just say that I talked with FEMA about mapping, and I talked with FEMA about these decertified lev-

ees. They admitted that they had decertified some and they're going to recertify them because they didn't quite know what they were doing.

They also told me that the maps certainly need a lot of work, that they are not complete. What I'm saying is this: all of those homeowners who can't sleep at night, who can't plan their futures, don't know whether or not they're going to be able to send their children to college, all of those homeowners who are in limbo, who don't understand whether or not they're going to be able—certainly they're not going to be able to pay increased premiums. They won't be able to sell the house. Why would we be a party to causing that kind of consternation to fellow human beings? I don't think we want to do that.

We have the power here today to support Mr. CASSIDY's bill and to buy some time and tell FEMA to get it right, to work on it, because these are unintended consequences.

So I just wanted the gentleman from Georgia to know that I certainly appreciate your concern. But you certainly don't understand the work that was put into it and how I know unintended consequences when I see them because of the way that I worked on the bill, and I know it was not intended to do what it is now doing.

If you had spent some time with the people who traveled to Washington, D.C.—elected officials and community leaders alike—who took up the whole room, making an appeal to us to not put them in a position where they would lose their homes, where communities would be destroyed because FEMA was not ready, not prepared—not equipped maybe—to do what they needed to do to carry out the bill even. And that some of those increases that were being talked about, that were being projected, were increases that were almost made up; they were not actuarially sound.

So I would ask you to please vote for this bill. Change your mind. Give some leadership and ask your colleagues to vote for the bill.

Mr. GRAYSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

Mr. BARTON. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the esteemed chairman of the Homeland Security Appropriation Subcommittee to

discuss a matter of importance to our Nation.

The United States Army is electing to reduce the number of Lakota light utility helicopters, which are made in my congressional district, that they had intended to purchase over the next 2 fiscal years. These helicopters are cheaper to acquire, maintain and operate than other rotary wing aircraft which the Army has recently contracted for.

I respect the Army's wishes to control costs and not purchase additional aircraft that they do not need. But I am hopeful that you, Mr. Chairman, and the chairman of the Homeland Security Committee, Texan MICHAEL MCCAUL, will work with me to have a study conducted to see if there is not some way to enhance our homeland security through a cost-effective manner by utilizing Lakota helicopters in operations that could protect the American people and secure our borders.

I yield to the chairman.

Mr. CARTER. I thank the gentleman for yielding. I want to say that I will be happy to work with you, Mr. BARTON, as we move forward in the appropriations process.

Mr. BARTON. I want to thank the chairman for his willingness to work with me.

Before I yield back, I just want to let the country know that when Texas is working, we get our job done a lot quicker than when Louisiana is arguing.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MRS. BUSTOS

Mrs. BUSTOS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

Sec. _____. None of the funds made available by this Act may be used to enter into a contract with an offeror for the purchase of an American flag if, as required by the Federal Acquisition Regulation, the flag is certified as a foreign end product.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

□ 2040

Mrs. BUSTOS. Mr. Chairman, the purpose of this amendment is simple. It would ensure that American flags purchased with funds from this bill are actually made in America. Pretty simple, straightforward, common sense.

Currently, here is what's happening: the Department of Defense, the Department of Veterans Affairs, the Department of Homeland Security, and even the U.S. Capitol are free to buy American flags that are only 50 percent made in the United States of America. I find this astonishing.

There are companies in America that manufacture American flags. Pretty logical. And there have been legislative efforts in the past to make sure that

American flags purchased by the Federal Government are actually made in America.

Last Congress, Senator SHERROD BROWN of Ohio was able to secure passage of the All-American Flag Act through the U.S. Senate by unanimous consent. Unfortunately, the House was unable to consider the measure prior to adjourning the last session of Congress.

According to the most recent numbers from the U.S. Census Bureau, the value of American flags imported to the United States last year alone was \$3.8 million; \$3.6 million worth came from China alone. A "Made in China" tag should never be sewn into an American flag, let alone American flags purchased by our Federal Government.

My amendment today is an attempt to address the growing practice of importing American flags not actually made in America. The idea for this came about just last week when I was home listening to veterans all over our district. I was in Rockford, Peoria, the Quad Cities, and Galesburg, Illinois. I listened to veterans from the gulf war, from the Vietnam war, from World War II, and had gentlemen stand up so disheartened by the fact that they had flown flags, they had seen flags that had a "Made in China" tag sewn into them.

So it is my hope that this Congress will engage further on this issue; but until that time, I feel it necessary to offer this amendment. We must send a clear message as to what our expectations are.

With that in mind, and using existing law as a guide, this amendment would ban purchases of any flag declared as a foreign end product in Buy American Act certifications required by all Federal contracts. This amendment is just the first step in what I hope is a larger effort to require that all American flags purchased by the Federal Government are actually made in America.

I hope my colleagues here today will support me in this endeavor and work with me in moving forward on future, similar efforts.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, we will support the lady's amendment. And I will be happy to yield to my colleague, Mr. PRICE, so that he can also support this amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding.

I'm happy to urge my colleagues to vote for the amendment.

Mr. CARTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BUSTOS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) add the following:

Sec. _____. None of funds made available by this Act may be used for entering into a new contract for the purposes of purchasing ammunition before the date the report required by section 567(a) is submitted to Congress.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MEADOWS. Mr. Chairman, this is a simple amendment which will ensure the Department of Homeland Security is being accountable to Congress—and more importantly, the American people.

Earlier this year, it was reported that DHS solicited bids for some 1.1 billion rounds of ammunition. This was more than 10 times the amount that the Department purchased in fiscal year 2012.

Given this large purchase, the American people and Members of Congress rightfully had concerns and questions. The Appropriations Committee has recognized these concerns by including language in this bill to address the ammunitions purchased by requiring DHS to report the cost and the need to Congress. This initial report is required to be submitted at the time of the President's budget.

I commend the Appropriations Committee for their work in this area, and my amendment would complement their efforts and prohibit any new purchases of ammunition until the required report is submitted to Congress. It does not prevent existing contracts for procurement from being carried out. This is a responsible amendment which ensures that Congress and the American people are aware of the necessity and the cost of ammunition prior to entering into new contracts for procurement.

On April 15, 2013, DHS had an inventory of almost 250,000 rounds of ammunition. In fiscal year 2012, DHS purchased 103,178,200 rounds. This is less than half the inventory that they have on hand. As of February 22, 2013, there were 62,618 employees at DHS trained and certified in firearms. Given our current inventory, each individual has nearly 4,000 rounds before our inventory would be exhausted.

With these facts in mind, it is important that we are responsible in entering into contracts for ammunition purchases. My amendment will ensure that this is the case.

I urge my colleagues to support my amendment and yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I would like to say to my colleague, I'm on the same wavelength as him, and I have had both my personal office and my staff here at the committee look into

in detail the allegations that he has raised by his amendment. He is quite accurate that the amount of ammunition that presently seems to be in the hands of DHS and the amount of purchases that have taken place over the last 3 years from a gun owner standpoint, if you take a good hard look at it, it looks like they're shooting an awful lot of rounds as practice. I have the same concerns he has about that.

That's why I put into this bill at my request this review of the training exercises: How many rounds are issued for training? How many rounds are issued for firing in harm's way? A complete report to the Congress of the United States was issued because the American people are very concerned about this issue.

I will assure my colleague we're going to look at this report in detail. We're going to have hearings and discuss this with the members of DHS, and all the gun-toting DHS folks, to get an accurate assessment of how much shooting they do and how much they need to shoot.

By my own personal inquiry, by talking to ICE last Friday—in addition, I talked to the Border Patrol personally, and they shoot four times a year to qualify—quite honestly, they acknowledged that they don't need as many rounds as people think they do.

But we want to get this study done. And if we can, have patience to do the study and not try to restrict contracting until we know. And I honestly am not encouraged to allow DHS to have huge stockpiles of ammunition around the country. We want to have an efficient utilization of the purchasing power.

As to the contracting power that they have for that billion-plus rounds, that's a process that I learned through my questions that is used to keep the lowest possible price, and there's no intent to make that—

Mr. MEADOWS. Will the gentleman yield?

Mr. CARTER. I will in just a moment.

There's no intent to make that type of purchase by DHS in any form or fashion. It's just a way that contracting is done on ammunition to utilize the cheapest price.

I will also say—and then I will yield—we checked with every ammunition manufacturer in the country, and they assured me that the shortage of ammunition on the shelves for the American hunter and shooter is not because of purchases by DHS or the military or anybody else. Quite honestly, it's because the American people are buying rounds as fast as they come on the shelf, and they're competing with their fellow Americans.

I will be glad to yield to my friend.

□ 2050

Mr. MEADOWS. I appreciate the chairman for yielding and I appreciate his comments.

This amendment would not stop the current bids that are out there, the

current process that we have in place. It would just stop additional processes. We are looking at some 6 months before this report would be due, and the inventory, Mr. Chairman, that we have in place currently is more than enough to handle the target requirements, the requirements that we have currently for those. We've had hearings already, and a number of committees have addressed that, and the background that we have and the inventory that we have is more than enough to handle this while we wait for this report.

Mr. CARTER. In reclaiming my time, I understand the gentleman's argument. I think it is in the best interest for us to go forward with this study. We are going to keep a close eye, which is why we've got this issue in this bill, but I am not prepared at this time to restrict contracting, so I have to oppose the amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I simply want to express my agreement with the chairman on this matter.

I appreciate the amendment being offered by my friend from North Carolina, but I believe it would introduce an element of rigidity and an arbitrary element into the purchasing process. The chairman has looked into this very carefully. We have provisions in the bill that should get to the bottom of any allegations that have been made about the matter, but in the meantime, it seems the amendment almost presupposes a negative or a suspicious outcome of the study. Maybe not. In any case, I see no reason for layering on a requirement forbidding the purchase of ammunition while we conduct this study.

So I urge the defeat of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MEADOWS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENTS OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have three amendments at the desk. These are Grayson Nos. 1, 3, and 4. In view of the late hour, I ask unanimous consent that they be considered en bloc.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The Clerk will report the amendments.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:

(A) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification of destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(B) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in subsection (A); or

(C) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

Mr. GRAYSON (during the reading). Mr. Chairman, I ask unanimous consent that we move on to the reading of the next amendment.

The Acting CHAIR. Without objection, the reading of the first amendment is suspended.

There was no objection.

The Acting CHAIR. The Clerk will report the second and third amendments.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used in contravention of the First, Second, or Fourth Amendments to the Constitution of the United States.

At the end of the bill (before the short title), add the following new section:

SEC. _____. None of the funds made available by this Act may be used for the purchase, operation, or maintenance of armed unmanned aerial vehicles.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. GRAYSON. Mr. Chairman, with regard to the first amendment, this amendment is identical to language that was inserted into the Military Construction-VA bill yesterday by a voice vote. It expands the list of parties with whom the Department of Homeland Security and other relevant entities are prohibited from contracting. This includes contractors who have been convicted of fraud, theft, forgery, bribery, et cetera, according to the terms of the amendment and otherwise.

With regard to Grayson No. 3, the next amendment, this amendment is a simple one.

It reads:

None of the funds made available by this Act may be used in contravention of the First, Second or Fourth Amendments to the Constitution of the United States.

As you will notice, the same sentiment and relevant language appears in my colleague Mr. ELLISON's amendment addressing racial discrimination and other matters. I gladly support his efforts, which passed unanimously by voice vote last Congress, and hope the same will be possible of my amendment in this Congress.

With regard to the last Grayson amendment, I regret that my colleague Representative HOLT could not be here to offer this amendment himself. He is in New Jersey today, remembering Senator Lautenberg. The amendment that I call up is actually the Holt-Grayson amendment, the last amendment. It's an amendment that Mr. HOLT attached to the bill in the last Congress as an en bloc amendment offered by Representative ADERHOLT, which passed unanimously. The text of the amendment is the same word for word, and it reads as follows:

None of the funds made available by this Act may be used for the purchase, operation or maintenance of armed unmanned aerial vehicles.

This is an important amendment and one that I am proud to offer here today on behalf of Representative HOLT. In no instance should DHS have access to or use weaponized drones. The bill before us today is the appropriations bill for the Department of Homeland Security, not the Department of Defense. That appropriations bill will come to the floor later this month, we hope.

As our wars abroad come to a close and as excess militarized drones become available for purchase and use potentially by DHS, I feel that it's important to lay down this marker here today that says, no, DHS may not have access to that military equipment. DHS will continue to have access to surveillance drones, and if the committee report is correct, DHS will increase its supply of drones and possibly even build a new airfield to support them.

In his previous amendment, Congressman HOLT shared his thoughts on the ways in which these drones should not be used, so I will close with this: Chairman CARTER and Ranking Member PRICE, let's be clear with DHS—no armed drones in the United States.

I ask for the support of this amendment, and I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER. These three amendments en bloc that we've got here, I want to address them as they were raised.

I support the first amendment with the reservations that I don't understand some of the language in section B, but I'm not here today to act in the judicial interpretation of what is already in law. I have some questions about the "civilly charged," but I'm not going to go into that, so I will accept that amendment.

On the second amendment, which concerns the three sections of the Constitution, I certainly will accept that. In fact, I would not like for anything within this bill to be in contravention of any section of the United States Constitution, so I certainly have no problem with that.

Thirdly, the Department has no intention of having armed drones, and we will certainly accept the third amendment. I am willing to accept all three.

I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

I am happy to also offer my support. I hope my colleagues will support this en bloc amendment.

Mr. CARTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments offered by the gentleman from Florida (Mr. GRAYSON).

The amendments were agreed to.

Mr. MICA. I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. I rise briefly to engage the gentleman from Texas in a colloquy.

First of all, I would like to compliment Chairman CARTER and Ranking Member PRICE. Thank you for your work on this bill under some very difficult fiscal constraints. I believe the committee, under your leadership, has successfully found areas where taxpayers can really realize savings and implement reforms to strengthen our national security.

As I have discussed with the chairman before and other colleagues in the past, I am a strong believer in the effectiveness of modeling and simulation for training. In the past, the Department of Homeland Security has purchased large and costly quantities of live ammunition. Live fire testing and training is expensive, detrimental to the environment, and is really unnecessary for most training of almost all DHS personnel.

□ 2100

I believe that the Department of Homeland Security would be well served by increasing its efforts to better integrate and utilize modeling and simulation in the training of law enforcement and security personnel under their jurisdiction.

For years now, our military and our Armed Forces, who daily face intense combat, utilize effective and modern simulation technology in training and preparing our soldiers.

These simulation technologies provide powerful planning and training tools capable of exposing all of our personnel to the complexities and uncertainties before ever stepping into harm's way. There's no reason DHS can't do the same thing. The use of simulation training has yielded better trained, more capable and more confident personnel, again, without live

ammunition. Unfortunately, DHS just doesn't get it.

Simulation training is a cost-effective means by which law enforcement and security personnel can improve readiness, tactical decision-making skills, and ultimately save lives and save millions of dollars in taxpayer money.

Mr. CARTER. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding.

Chairman MICA makes very good points. FLETC and DHS should review their training regimen and determine where simulation equipment makes sense. I appreciate the gentleman bringing this opportunity to my attention and look forward to working with him.

Mr. MICA. And I look forward to working with the chairman, and I yield back the balance of my time.

AMENDMENT NO. 2 OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. REED). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 571. None of the funds made available by this Act may be used for the Agricultural Quarantine Inspection program.

Mr. MURPHY of Florida (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MURPHY of Florida. Mr. Chair, I rise today to offer an amendment to the Department of Homeland Security Appropriations Act that would cut over \$300 million from a program that is supposed to cost taxpayers nothing. If you, like me, are wondering how we got to this point of paying for a cost-free program, keep listening.

Customs and Border Patrol, along with the U.S. Department of Agriculture, conducts agricultural quarantine inspections on incoming vessels and passengers. This is an essential service that protects our Nation's agriculture and wildlife.

CBP and USDA have claimed that the cost of this program is covered by imposing fees on incoming vessels and travelers—a sensible approach. However, when the Government Accountability Office last examined the program in 2011, the fees covered only 60 percent of the program's cost. As a result, the taxpayers had to cover a \$325 million shortfall.

I recently introduced the bipartisan SAVE Act with the gentleman from Ohio (Mr. JOYCE), which would implement recommendations by the GAO to

push Customs and Border Patrol, along with the USDA, to adjust its fee structure and administration to fully cover the cost of this program.

My amendment would prevent Customs and Border Patrol from continuing to use taxpayer dollars to subsidize incoming vessels and travelers and make the program truly fee-supported.

My amendment would free up remaining CBP funds to do what they should be doing: securing the homeland and facilitating travel, tourism, and trade. More tourism and more trade mean more American jobs.

Mr. Chair, I think we can all agree that this is a commonsense amendment that saves taxpayers dollars and improves the environment for greater job growth. I urge my colleagues on both sides to support this cost-saving amendment.

I yield back the balance of my time.

Mr. CARTER. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I oppose this amendment because it would make it impossible for CBP to carry out its mandated mission to inspect and clear agricultural products that enter the United States from a foreign country.

A mixture of fees and discretionary funds pay for CBP officers that inspect and clear foreign ag products. When fees run out, discretionary funds pay for the officers' work.

If we do not provide these funds, as the amendment proposes, agricultural imports to the United States would effectively halt and halt trade.

Mr. Chairman, I urge my colleagues to vote against this amendment.

Mr. PRICE of North Carolina. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. PRICE of North Carolina. Mr. Chairman, I appreciate the chairman yielding, and I also want to oppose this amendment.

I want to say to my colleague that I very clearly understand the purpose of this amendment. I think it's a worthy purpose. I think we should pay for these inspections through fee revenue, and the fees need to be adequate to the task.

So the gentleman, as I understand it, is trying to apply some pressure in that situation so that that gets done. That's a worthy purpose. But the risk is simply too great with a blanket prohibition of discretionary funds to be used for inspections. The risk is simply too great that the vital inspections that really can't lapse would not go on.

So I have to reluctantly urge defeat of the amendment, although I agree with and understand its underlying purpose.

Mr. CARTER. Reclaiming my time, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used in contravention of section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)).

The Acting CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. COLLINS of Georgia. I offer this amendment to ensure that none of the funds in this bill may be used in violation of section 236(c) of the Immigration and Nationality Act.

This amendment prohibits the United States Immigration and Customs Enforcement from using taxpayer dollars to process the release of or to administer alternate forms of detention to illegal immigrants who committed a crime that mandates their incarceration under section 236(c) of the Immigration and Nationality Act.

Section 236(c) requires the Federal Government to detain illegal aliens who committed any one of the serious crimes detailed in that section until that illegal alien is deported to their home country.

In my home State of Georgia, ICE has processed the release of criminal aliens under the guise of sequestration. Along with the fellow members of the Georgia delegation, I have written to DHS and ICE on two separate occasions requesting more information about the releases.

To date, DHS and ICE have failed to provide basic information regarding the criminal aliens released in Georgia. We don't know how many criminal aliens were released and to where. We don't know what crimes they committed prior to detention, and we don't know what forms of alternatives to detention ICE is using to ensure they don't commit additional crimes.

Mr. Chairman, this is unacceptable.

Our Nation was founded on the rule of law, and I do not believe taxpayer dollars should ever be used to circumvent the law.

I appreciate the men and women who work for ICE and have great respect for the work they do and the sacrifices they make.

This amendment ensures that political agendas won't interfere with the need to protect innocent citizens from criminal illegal aliens.

The Federal Government should enforce immigration law, particularly section 236(c), that mandates the detention of dangerous criminal illegal aliens.

I urge my colleagues to support this amendment to prohibit taxpayer funds from being used in violation of section 236(c), and I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Though in principle I believe there are times when alternatives to detention make sense, utilizing them to release convicted criminals is never appropriate. Therefore, I appreciate Congressman COLLINS calling attention to the importance of ICE maintaining a robust capability to detain and maintain custody of illegal aliens, especially those convicted of violent and serious crimes and felonies like drug trafficking, prostitution and conspiracy.

Included in this bill is no less than \$2.8 billion for enforcement and removal operations, which include \$148 million to fully support the statutory requirements to maintain at least 34,000 beds, which is critical if we're going to ensure that convicted criminals and repeat offenders do not endanger public safety. Therefore, I'm happy to accept the gentleman's amendment, and I reiterate my appreciation for Congressman COLLINS for offering it. And as to the fact that he didn't get information from ICE or from DHS, I've had the same experience and I was just as upset as you are.

I support the Congressman's amendment, and I yield back the balance of my time.

□ 2110

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. THOMPSON OF MISSISSIPPI

Mr. THOMPSON of Mississippi. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. ____ . None of the funds made available by this Act may be used by the Transportation Security Administration for the Behavior Detection Officer program

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. THOMPSON of Mississippi. Mr. Chairman, my amendment does one simple thing: it stops TSA from continuing to waste taxpayer dollars on a program the agency has not scientifically validated or shown to be cost effective.

Since 2007, TSA has spent approximately \$1 billion on its behavioral detection program, the screening of passengers by observation techniques, commonly referred to as the SPOT program.

Under this program, on an annual basis, TSA spends about \$200 million to deploy 2,800 behavior detection officers, or BDOs, at airports around the country to observe passenger behaviors for signs that they present a terrorism risk to aviation. While the goal of this

program—preventing terrorists from boarding flights—is laudable, the program is, by any measure, fatally flawed.

Chief among those flaws is that TSA has not scientifically validated that BDOs can identify terrorists by observing behaviors. Indeed, the Government Accountability Office has found that “known or suspected terrorists” have moved through screening on 23 different occasions in airports where BDOs were deployed. In fact, BDOs have never identified, apprehended, referred to law enforcement, or prevented a terrorist from boarding an aircraft. This is not surprising considering that there is no scientific basis for suggesting that they should or would be able to do so.

As if it were not bad enough that TSA has spent almost \$1 billion on a program without scientific validation, yesterday *The New York Times* reported that the DHS inspector general has found that TSA cannot ensure passengers at U.S. airports are screened objectively under the SPOT program, show that the program is cost effective, or reasonably justify the program’s expansion.

Indeed, the IG found that the program does not have a strategic plan, a financial plan, or even a comprehensive and uniform training program. In light of the sequester and the resulting budget cuts, I, for one, see no justification for spending another dollar on a program that is wasteful and ineffective.

Mr. Chair, the time has come to stop TSA from squandering additional funds on this misguided effort. I was surprised in these austere times the Appropriations Committee provided funding for the program, especially when, in the report accompanying H.R. 2217, the committee questioned the fundamentals for the program when it said that there are outstanding questions remaining over the value of the program.

We have an opportunity today to ensure we fund programs that are merit-worthy and effective, not programs whose value and effectiveness have not been established. Further, we have the opportunity to ensure that \$200 million saved by defunding this program is put to far better uses, such as expanding TSA’s Pre Check program so more individuals can receive expedited screening, reducing wait times at screening checkpoints, and bolstering surface transportation security.

Earlier today, the chairman of the Appropriations Committee stated that we cannot afford to fund unproven and wasteful programs. I cannot agree more. That is why I am offering this amendment to cut off funding for TSA’s unproven and wasteful SPOT program.

With that, Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I share some of the concerns of the gentleman from Mississippi, and I believe that the outstanding question still remains over the actual value of the Behavior Detection Officer, BDO program, which has yet to be sufficiently validated by TSA. In addition, it is my understanding that a recent OIG report may validate the concerns Mr. THOMPSON has raised about the program. In the report accompanying this bill, this committee also articulated some of the same concerns of Mr. THOMPSON, including whether passengers are screened in an objective and cost-effective manner.

However, I cannot accept this amendment at this time to zero out the program. I remain hopeful that TSA will correct these issues. And my colleague, Chairman MCCAUL, has also said he is hopeful that we can correct these programs. I will be willing to work with Mr. THOMPSON and Mr. MCCAUL and anyone else who has concerns about this to make sure that this program is effectively administered and effectively worked. So at this time, I oppose the amendment.

I yield back the balance of my time. Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in reluctant opposition to the amendment as well. I do this because I have great respect for the gentleman from Mississippi and for the good work that he does on the authorizing committee. And I also know that the concerns he has expressed here tonight are legitimate ones. But I believe striking this funding in an appropriations bill is not the preferred way to deal with it.

The Behavior Detection Officers program utilizes specially trained individuals to identify potentially high-risk passengers. This program is specifically designed to detect individuals exhibiting behaviors that indicate they may be a threat to our security. And these behaviors, by the way, are not just randomly chosen. These individuals are trained in psychologically grounded theories as to what kind of behaviors they’re looking for and what those behaviors may indicate. It’s one element of a layered approach to ensuring the security of our commercial airlines and airports.

Now, I’m aware that the inspector general will soon issue a report that faults TSA for not being able to accurately assess the effectiveness of the program and for not having a finalized strategic plan that identifies the mission, the goals, and the objectives needed to develop performance measures. My understanding, however, is that TSA has agreed with all of these

recommendations made by the inspector general to improve the program and plans to address them right away. I also understand that TSA has already drafted a strategic plan for the program.

Ending a program at the Department of Homeland Security just because the inspector general has found that it needs to improve its strategy and its performance measures just doesn’t make sense to me. The inspector general certainly has not recommended that the program be ended.

The use of behavior detection is not a new or novel idea. As I say, in fact, it has a validated foundation in psychology. It’s been a cornerstone in the Israeli Government’s aviation security for years. I commend Administrator Pistole for his understanding of the possibilities and limitations of behavior detection and his attempts to use it effectively. We don’t need to end this program; we need to work with TSA and push it to quickly implement the IG’s recommendations. So I urge defeat of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Mississippi will be postponed.

□ 2120

AMENDMENT OFFERED BY MR. SALMON

Mr. SALMON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SALMON. Mr. Chairman, I might add that this amendment was one that was offered by my colleague DAVID SCHWEIKERT from Arizona last year, and it passed on a voice vote.

Department of Homeland Security, DHS, has long viewed State and local governments as valuable partners that can help serve a helpful role in assisting DHS in fulfilling its responsibility with respect to immigration enforcement, and it continues to welcome that participation.

In order to avoid complying with their obligation to share information with DHS, local governments have taken on a “don’t ask, don’t tell” policy known as “sanctuary policies.”

With the implementation of sanctuary policies, State and local law enforcement officers are barred from asking people about their immigration status or reporting them to Federal immigration authorities.

Sanctuary policies are bad public policy because States or cities that institute sanctuary policies become magnets for illegal immigration. Illegal immigration results in higher costs of living; reduced job availability; lower wages; higher crime rates; fiscal hardship on hospitals and substandard quality of care for residents; burdens on public services, increasing their costs and diminishing their availability; and a reduction of the overall quality of life.

Sanctuary policies are expensive and shift the cost of illegal immigration onto citizens and legal immigrants. Because of the difficulty States have in collecting taxes from persons who are not lawfully present, many are utilizing State and local benefits and resources without contributing their fair share.

Sanctuary policies serve as a perverse incentive for illegal alien families to move to those States or cities who institute such policies. Accommodating those who violate our immigration law encourages others to follow the same path and gives prospective immigrants little incentive to pursue the legal path of immigration when they can sidestep the process and gain the same benefits.

Sanctuary policies also insult those legal immigrants who patiently waited for months and years for the U.S. State Department and DHS to approve their application and paid thousands of dollars in travel, legal, and medical fees to abide by the entry, employment, health, and processing laws and regulations.

Sanctuary policies conflict with Federal law. Recognizing the adoption of sanctuary policies as a growing impediment to combating the wave of illegal aliens residing in the country, Congress adopted the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that barred State and local governments from prohibiting employees from providing, receiving, and sharing information on those here illegally with Federal Government immigration officials.

Sanctuary policy denies U.S. Immigration and Customs Enforcement critical assistance to enable it to accomplish its statutorily mandated mission to identify and ultimately remove those here illegally who are currently in State or local custody.

Sanctuary policies undermine national security efforts and create an environment in which terrorists and individuals of national security concern go unnoticed and uninterrupted.

Sanctuary cities tell those who are here illegally that the laws of our country don't matter. Sanctuary city policies encourage illegal immigration and weaken our Nation's ability to se-

cure our borders. They contribute to a flood of illegal immigrants in this country today.

During the immigration reform debate, sanctuary cities should not be overlooked. This policy is creating an even bigger illegal immigration problem.

With money so tight these days, cities which are purposely skirting Federal law should not benefit from Federal law enforcement funding. The funds should be used for those cities who are actively enforcing the law.

So, in a nutshell, what this amendment would do is disallow any funds from this particular legislation to go to sanctuary cities.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. We will accept this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. I'm not sure of the full intent of the gentleman's amendment, but I will say that I'm concerned if we are going to deny funding to cities that have established rules that may be determined that they are sanctuary cities and, in fact, they are not.

Many cities have a process in their own jurisdiction where law enforcement wants to ensure that, in the enforcement of their local laws, that all communities be considered engaged in the law enforcement process.

I don't know whether the gentleman determines that that is a sanctuary city, where chiefs of police wish to hear from communities that are bilingual and, therefore, do not want to have a structure that intimidates them and, therefore, inhibits the prosecution of laws or inhibits the elimination of crime.

So I would only make the argument that I know that the Association of Chiefs of Police have argued that it is important to ensure that immigrant communities feel free enough to communicate with their law enforcement officers.

I don't know if that is the interpretation of the gentleman's sanctuary cities. I know that he is going under the law. But I certainly hope those cities will not be biased or discriminated against with respect to Federal funding on homeland security.

I yield back the balance of my time.

Mr. SALMON. I was just going to say, my interpretation of the law is exactly as it's stated in the law that we passed in 1996 and nothing more, nothing less.

Mr. SCHWEIKERT. I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Chairman, being someone who worked on this amendment last year—and I appreciate my next-door neighbor and my old friend, MATT SALMON, for bringing it up—for those of us from Arizona, we actually have some very intimate experience with sort of dealing with these mechanics.

For almost all of us in this body, we run for office telling everyone that immigration is a Federal issue. You know, we need to set Federal policy, and that's how we mechanically will come up with our commonality of enforcement.

But what happens when, all of a sudden, we have a municipality that's still taking those Federal dollars and yet is not playing under the same rules as their next-door neighbor municipalities?

The beauty of this amendment is very, very simple. It says, if you're going to take these resources, you need to play by the rule book that we in Congress set on an issue that we're supposed to be dominant on.

And the reality of it is, when you have a municipality that, through stated policy, flaunts what we're trying to do, particularly in immigration policy, it ends up creating this sort of balkanization in our communities, and it sets off those very fights that I believe our last speaker was touching on.

And having been the county treasurer of Maricopa County, I've seen the edges of this, when one municipality was looking very, very differently at our Federal laws compared to another one and, literally, the movements that would happen with populations and the fights that would start and also the chaos it would actually create when you were trying to have a community of also equal law enforcement.

So, Mr. Chairman, that's one of the reasons I stand here and support the Salmon amendment.

I yield back the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in the hopes of engaging in a colloquy with the chairman.

Mr. Chairman, thank you for the work that you have done on this bill, along with our ranking member.

I had intended to offer an amendment in the hopes that we could move forward with modernizing our pedestrian access at our land ports of entry, but I was held up in the NDAA markup, which is ongoing still.

My amendment would have been simple. It would have set aside \$5 million within the Construction and Facilities Management account in title 2 of this bill to begin construction on shovel-ready projects at our land ports of entry, the pedestrian access points.

Mr. Chairman, our land ports are out of date and in need of massive repair.

□ 2130

This is the first step in addressing the massive wait times for pedestrians across our country.

I was recently in Calexico, California, where I saw elderly people waiting in 102-degree heat just to come and shop in the United States. We hinder our economy when we hinder the lifeline of trade into our country. Mr. Chairman, this is happening every day at our border communities throughout this country. And as a Member of Congress from a border State, you understand that all too well.

So I want to ask the chairman for his support in working with me during the conference to ensure pedestrian access points at land points of entry have the funds that they need to be improved so that we can increase our trade at our land ports.

Mr. CARTER. Will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentleman from California for engaging me in this colloquy.

As she had just stated, wait times at our ports of entry, both vehicle and pedestrian, have increased in recent years. I would have supported the gentlewoman's amendment, but will vow to work with her in ensuring that the proper funds are given to the pedestrians to reduce wait times at land ports of entry. I'll be glad to work with you on this issue.

Ms. LORETTA SANCHEZ of California. Thank you, Mr. Chairman, for that clarification and for your strong support in improving pedestrian access points at our land points of entry, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. SALMON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

Mr. RUNYAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

Sec. ____ . None of the funds made available in this Act may be used to carry out the amendments made by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (title II of division F of Public Law 112-141) with respect to any property located in the State of New Jersey or the State of New York.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RUNYAN. My amendment is actually very similar to what Representative CASSIDY had on the floor about an hour ago. My amendment would delay the increase in National Flood Insurance Program premiums in New Jersey and New York until the end of FY 2014. It does so through prohibiting funding for the implementation of section 207 of the Biggert-Waters Flood Insurance

Reform Act with regards to the States of New York and New Jersey.

New Jersey and New York suffered unprecedented damages during Hurricane Sandy. Many of these coastal residents in New Jersey and New York are still struggling to rebuild and now are staring down huge increases in flood insurance premiums due to the provisions of the Biggert-Waters Act. The people of New Jersey and New York have suffered enough and cannot afford to pay skyrocketing premiums in the middle of the rebuilding process. The least we can do is give them a reprieve, a little peace of mind, until the end of the 2014 fiscal year.

I would like to thank Mr. KING and Mr. LOBIONDO for working with me on this amendment, and I urge my colleagues to support the amendment.

I yield back the balance of my time. Mr. CARTER. I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. The authorizers have indicated that they oppose this amendment that's being proposed by my friend from New Jersey. I'm reluctant to oppose it. So I just wanted to make the statement that the authorizing committee is opposed to this. We've had a debate almost ad nauseam on the State of Louisiana, with exactly the same amendment. I think everything that's been said about this flood program has been said, so I'm not going to continue that debate. I just wanted to make a note that although I'm not going to officially oppose it, I will state that the authorizers were supposed to be here to oppose.

I yield back the balance of my time.

Mr. O'ROURKE. I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. O'ROURKE. Mr. Chairman, I want to thank the chair and the ranking member of this subcommittee for their work on this bill. It's certainly one that I'm very happy to support.

Given the importance of trade at both our northern and southern land ports of entry, I am particularly pleased that the bill includes 1,600 new CBP officers to expedite trade at our ports. I planned to offer an amendment that would have helped to target these new officers to the busiest ports of entry. It would have required the Department of Homeland Security to submit a report detailing the average crossing times at the busiest land ports and what the staffing needs are to ensure that we can reduce those wait times to 20 minutes or less. I understand my amendment would be subject to a point of order, but I look forward to working with the chair and ranking member to address this issue as the process moves forward.

Very quickly, wait times right now at our ports of entry are unpredictable and they are inconsistent. People can wait as few as 20 minutes or they can wait as long as 2 or 3 hours to enter the

United States at a pedestrian bridge, as a commuter by vehicle. Or, most important, for our economy, trade can wait hours at a time to enter the United States.

The economy that I represent in El Paso, Texas, has 100,000 jobs at stake that depend on this cross-border trade. There is over \$90 billion in U.S.-Mexico trade that is crossing at those ports every single year. More than 6 million jobs in this country depend on that U.S.-Mexico trade that is crossing at our southern ports of entry alone. In the State of Texas, we have more than 400,000 jobs. In the State of North Carolina, we have over 100,000 jobs. That's why I think it's so important to understand the wait times and to be able to fix them and to move people and CBP officers where they are most needed. So, again, I look forward to working with the chairman and ranking member to address this issue going forward.

Mr. CARTER. Will the gentleman yield?

Mr. O'ROURKE. I yield to the gentleman from Texas.

Mr. CARTER. I would like to comment to my colleague from Brownsville that we in Texas are very proud of our ports of entry on the border. They do an exceptional job in a difficult environment. We do need to reduce the wait times. And I'm looking forward to working with you and looking forward to coming to Brownsville and visiting down that way. I've been to Laredo a lot of times lately, but I haven't been to Brownsville. And I will get down that way.

I intend to work with you and our friends from California and Arizona to do the best we can to move these wait times down to something that's manageable. So I just want to comment I'd be glad to work with you.

Mr. O'ROURKE. I yield back the balance of my time.

Mr. WESTMORELAND. I move to strike the last word.

The CHAIR. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. I'd like to address Mr. RUNYAN's amendment with the flood insurance. We've had great discussion on this tonight about the flood insurance and how appropriate it is to come through an appropriations bill rather than going through regular order and going through the committee of origination, which is the Financial Services Committee. So I don't want to take up any more time. We have been through this and through this and through this.

With all respect to the gentleman from New Jersey, I just don't know that it's proper to do something specific for just two States when there's 5.5 million people in other States that have flood insurance that are involved in this. We can give the committee of authority the ability to address the FEMA situation.

With that, I ask for a "no" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUNYAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used in contravention of section 44917 of title 49, United States Code.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

□ 2140

Ms. JACKSON LEE. Mr. Chairman, let me again thank the committee for its leadership and acknowledge to my friends that this amendment was adopted in the last appropriations for Homeland Security. I believe it's an important amendment to continue to keep before this committee, but also to continue to provide codification of it.

I have served on the Homeland Security Committee for a very honorable period of time. When I say that, it is a time that I have enjoyed being able to address the questions of homeland security or domestic security under the Homeland Security Department. Through that time, I have had the privilege on one of my committees to have oversight over the U.S. air marshals.

I would offer to say to my colleagues that often U.S. Air Marshals don't get the thanks and appreciation that they deserve. It is not an easy task, even as they are on domestic flights. International flights are quite difficult in terms of the time, but also the intensity of the work because their astuteness and awareness of what's going on in a small compact area is very important to the safety of those passengers.

So my amendment, Mr. Chairman, is very simple. What it does is it asks that no funds be used to limit the discretion of the Secretary of Homeland Security to enhance the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

There's little that I need to say to my colleagues that we live in a different atmosphere and certainly a different neighborhood. We're all well aware of our eyes being focused on the Christmas Day bomber just a few years ago, or the fact of the shoe bomber that was headed to Boston, or the fact of the various training that is going on with individuals even from the United States in Yemen. We're also aware that one of the Boston Marathon bombers flew from the United States overseas

and back. So we realize that individuals are using the international air skies, if you will, to travel back and forth to the United States.

My amendment ensures that the Federal air marshals are effectively using their funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limitation to that ability.

I believe the Federal air marshals are the last line of defense in many instances in defending the cockpit and aircraft cabin against terrorist attacks, those who have obviously been able to transcend other barriers and getting on planes in international ports.

As a former chair and a member of the Homeland Security Transportation Security Committee, I worked over the years and sponsored legislation to ensure that we have enough air marshals and that they receive all the requisite training to effectively secure the aircraft. Again, many times their work goes unnoticed, but it is vital work to best protect our Nation from terrorist threat. It is of extreme importance that we use the necessary funds to support the use of Federal air marshals on inbound international flights.

Make no mistake, the threat to our aviation system from aircraft inbound to the United States from foreign airports continues to be a serious and dangerous threat. It is often recited by those who are engaged in intelligence matters that aviation assets still are the asset of choice for many of these franchise terrorists. To best protect our Nation from terrorist threat, it is important that we take note of our international flights.

Following the capture and killing of Osama bin Laden, intelligence was gathered that suggested al Qaeda still has an interest in attacking the United States, likely through transportation modes, whether it is to airplanes, trains, and other modes. This fact, coupled with the numerous suspicious activities even on domestic aircraft where passengers are attempting to open cabin doors in flight or otherwise disrupt, is of concern. Certainly, our air marshals play a very important role.

While my amendment deals with the threat of inbound aircraft to the United States, its ultimate impact would be to ensure that air marshals are assigned to the highest risk flights. It simply prohibits funds from being used to limit the discretion of the Secretary of Homeland Security to enhance air marshal coverage on inbound, high-risk flights. And it reinforces the importance of the job that air marshals do, but also the importance of assessing this high-risk threat in many instances, which is the aviation vehicle.

The terrorist threats are ever-changing. We must allow the Secretary of Homeland Security to make the necessary adjustments to protect the

American people. This is not a funding issue or a people issue, rather, a security issue.

This amendment is budget neutral, and I would ask my colleagues to support this amendment that really speaks to the idea of security for the American people.

With that, I yield back the balance of my time.

Thank you for this opportunity to explain my amendment, which simply prohibits any funds in the Homeland Appropriations Act from being used to limit the discretion of the Secretary of Homeland Security to enhance the use of Federal air marshals on inbound international flights considered to be high risk by the Department of Homeland Security.

My amendment ensures that the Federal Air Marshals are effectively using their funds to deploy personnel on inbound flights that are considered high risk by the Department of Homeland Security and that there is no limitation on that ability.

Mr. Chairman, I believe that Federal Air Marshals are the last line of defense in defending the cockpit and aircraft cabin against terrorist attack.

As the former Chair and a current member of Homeland Security Transportation Security Subcommittee, I have worked over the years and sponsored legislation to ensure that we have enough air marshals and that they receive all the requisite training to effectively secure aircraft.

To best protect our Nation from terrorist threat it is of extreme importance that we use the necessary funds to support the use of Federal Air Marshals on inbound international flights.

Make no mistake—the threat to our aviation system from aircraft inbound to the United States from foreign airports is serious and dangerous.

Following the capture and killing of Osama Bin Laden, intelligence was gathered that suggests that Al Qaeda still has an interest in attacking the U.S., likely through transportation modes. This fact, coupled with the numerous suspicious activities even on domestic aircraft where passengers were attempting to open cabin doors in flight or otherwise disrupt flights, is of concern.

While my amendment deals with the threat on inbound aircraft to the U.S., its ultimate impact will be to ensure that air marshals are assigned to the highest-risk flights.

It simply prohibits funds from being used to limit the discretion Secretary of Homeland Security to enhance air marshal coverage on inbound high-risk flights in accordance with the Department's risk model.

The terrorist threats are ever changing and we must allow the Secretary of Homeland Security to make the necessary adjustments to protect the American people.

This is not a funding issue or people issue, rather a security issue and this amendment is budget neutral.

Let me thank those under Homeland Security for their service, including my friends at the Transportation Security Administration. Let me thank the Federal Air Marshals as well for their service.

Mr. Chair, I ask my colleagues to support amendment 153 to the Homeland Security Appropriations bill for fiscal year 2014.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I do not oppose this gentlelady's amendment. It is my understanding that it's a restatement of current law.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GINGREY OF GEORGIA

Mr. GINGREY of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used in contravention of section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)).

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GINGREY of Georgia. Mr. Chairman, I rise today to offer a common-sense amendment to H.R. 2217.

The 287(g) program has been an integral component of immigration enforcement efforts, yet the Obama administration has been systematically weakening the integrity of the program by slashing funding and discontinuing numerous agreements. Our colleagues on the other side of the aisle have tried to do the same throughout this open amendment process.

Mr. Chairman, I want to commend my friend, Homeland Security Appropriation Subcommittee Chairman Judge JOHN CARTER, for recognizing the importance of the program and ensuring that the underlying bill provides \$43.5 million to restore it. My amendment simply adds an additional layer of protection for the program by stating that none of the funds made available under this act may be used in contravention of section 287(g) of the Immigration and Nationality Act.

The 287(g) program enables State and local law enforcement to enter into agreements with Immigration and Customs Enforcement, ICE, to act in place of or in tandem with ICE agents by processing illegal aliens who are incarcerated for crimes for removal.

287(g) agreements have a proven track record, Mr. Chairman. Since 2006, over 309,000 potentially removable illegal aliens have been identified under this enforcement program. I emphasize "potentially removable" because the final decision remains with ICE. Additionally, with less than 6,000 ICE agents, 287(g) agreements serve as a critical force multiplier by allowing State and local enforcement to assist in enforcing Federal immigration laws.

In my district, the 11th Congressional District of Georgia, the Cobb County Sheriff's Department has successfully participated in a 287(g) program since 2007. I know that the Cobb

Sheriff's Department wants to continue its participation in this program, and I am sure countless other law enforcement agencies do as well.

However, the Obama administration continues to weaken our immigration laws by reducing options available to enforce those laws. The administration has gone so far as discontinuing existing agreements, suspending pending agreements, and seeking to slash the 287(g) program by 25 percent. We cannot let this continue.

Mr. Chairman, the administration and my colleagues on the other side of the aisle tout Secure Communities as an alternative to 287(g). While Secure Communities is an important part of immigration enforcement, it focuses primarily on removing aliens that the administration deems a priority, namely, criminal aliens. While removal of these types of aliens is important, the administration must stop picking and choosing aspects of existing immigration law it chooses to enforce.

State and local enforcement officers go through extensive training to participate in 287(g) agreements. This training allows them to participate in enforcing immigration law while carrying out their other duties.

□ 2150

Rather than turning a blind eye to someone here illegally, officers are able to identify and take action when they encounter an illegal alien who has been incarcerated for committing a crime. They're not patrolling the streets. The Obama administration's continued attack on the 287(g) program ignores the program's success and the officers' training—assuming that they can't multitask—and instead forces those who are charged with upholding the law to just simply ignore it.

Mr. Chairman, it is time we start enforcing our immigration laws. It is time we uphold the rule of law. For these reasons, I urge all of my colleagues, please support my amendment to this bill, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I rise in support of the Gingrey amendment, and yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am mainly baffled by this amendment. What on Earth could it mean to contravene 287(g)? Nobody wants to contravene any Federal statute. That's what this amendment says.

If the offering of his amendment is an occasion to gloss over the problems with 287(g) and tout its virtues, I will simply very briefly go back to the debate earlier today when I think this was pretty thoroughly discussed. We

have in 287(g) an effort to bring local officials into the business of immigration enforcement.

In some communities that has worked reasonably well. And I must say, in my experience where it has worked reasonably well is where those local authorities focused on the jails and on the prison population and the people who, in fact, had committed serious crimes. And in that sense, it is a parallel effort with the Secure Communities effort.

I know of other instances, though—and I think the Department has verified that there are other instances—where that line between Federal and local authority has gotten very seriously blurred, where there have been instances of profiling and other abuses. In fact, there have been so many abuses that I concluded some time ago that 287(g) was prone to abuse, that there were too many problems with the way that program was set up for it to really be our long-term effort to involve local officials in immigration matters.

I believe it's very important that 287(g) be phased into the Secure Communities effort. The Secure Communities effort is now taking off around the country, and I think can in time supersede this flawed 287(g) concept.

And then, finally, there's also the matter of expense. We discussed earlier today \$32,000 per removal for that task force model 287(g) program versus something like \$1,500 under secure communities. It's a waste of money.

Therefore, I thought the administration did the right thing in reducing the funding for 287(g) and continuing the phase-in of Secure Communities. I regret that the committee put that money back, but I certainly feel that this current amendment—I don't understand what it means—but I certainly don't want to let the occasion pass without saying to my colleagues, I think this 287(g) program is one that we need to oversee very, very carefully. I remain convinced that it can and should be superseded by a better program.

I yield back the balance of my time.

Mr. FLORES. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Chairman, I yield the balance of my time to Mr. GINGREY from Georgia.

Mr. GINGREY of Georgia. Mr. Chairman, I appreciate the gentleman from Texas yielding me time. I would just say to my colleague from North Carolina that—as I pointed out in describing this amendment—the 287(g) program superseded some of these State laws that were enacted west of the Mississippi, not east of the Mississippi, and obviously there were some problems. But in this situation that I'm describing—and the reason the chairman of the subcommittee wants so strongly to fund this program—is communities like Cobb County, Georgia, in the heart

of the 11th Congressional District, my district. Sheriff Neil Warren has been utilizing this program since 2007, Mr. Chairman, and as I pointed out, it is a force multiplier. The deputy sheriffs in Cobb County are not patrolling the streets profiling, looking for certain individuals to ask them for their papers or anything of that sort.

This program is just simply when someone is incarcerated for committing a crime in our community. And it doesn't matter their ethnicity. Anybody in that jail with the training of these officers under the 287(g) Federal program, federally trained, they have the ability, the knowledge, the wherewithal, to find out, to check the databases, the Homeland Security information, Social Security, to find out whether or not these individuals are in this country legally.

Now, if they're not in the country legally, we make note of that—they make note of that—under the 287(g) program. They serve their time for the crime they committed in our community, whether that's running a red light or driving under the influence of drugs or alcohol or a minor fender-bender, whatever it is, they serve their time.

ICE is then simply given this information, and they can make a decision whatever they want to do in regard to whether they deport these illegal immigrants. The Secure Communities program, of course, gives them the ability to decide not to deport them. Well, the local community, the local sheriff's department, is out of it at that point. So nothing can be better than a program like 287(g). And it's well worth the dollars spent, and as I point out, a force multiplier.

I commend the chairman of the subcommittee, and I say to my colleagues on both sides of the aisle, let's get the job done and support this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. Mr. Chairman, I was intending on offering an amendment dealing with Border Security Centers of Excellence. I will not offer that amendment, and I would like to just indicate that I look forward to working with the ranking member and the chairman.

As we move to a comprehensive immigration reform, Border Security Centers of Excellence are universities that look to the highest technology of how we can secure America. They undertake research and education initiatives designed to meet the needs of the Department of Homeland Security, border security, and immigration in a global context. They develop and use cutting-edge research methodologies focused on unique science and technology policy issues, and they develop educational programs in order to educate current and future practitioners, which is really crucial, and researchers in the relevant disciplines.

If we want to secure America, we need the technology and the expertise. As a ranking member on the Border and Maritime Security Subcommittee, I can assure you that as we look to the new metrics of border security in the northern and southern border, we need personnel. And my amendment was going to ensure that we allow Congress to gather the information needed by Congress to establish more universities, or opportunities for more universities and colleges to participate as Border Security Centers of Excellence.

In my own community, Houston Community College, Texas Southern University, University of Houston, a number of campuses could be engaged as Border Security Centers of Excellence. Texas Southern University, for example, received from my initiative a Transportation Security Center of Excellence that was established under that particular legislation, the Transportation Security Administration legislation.

□ 2200

So I would like to make sure that we look forward to doing that.

I do want to indicate, as we pass the amendment dealing with no knives on planes, that I had introduced legislation with Mr. GRIMM that allowed Administrator Pistole an indefinite amount of time to consult with stakeholders. I, frankly, believe that legislation helped turn the corner for the thoughtful position that Mr. Pistole has now taken. I think the amendment that we passed today was by voice and was common sense and makes a good, important statement.

I also think the idea of emphasizing the importance of U.S. air marshals in my previous amendment that was accepted is important and to reemphasize the importance of the responsibility of the U.S. Department of Homeland Security for the traveling public in order to ensure that it assesses high-risk places of departure so that air marshals can be used effectively, efficiently, and with funding.

With all of that, I believe the amendments that have been put upon the floor today and that I have discussed and offered contribute positively to the ultimate direction of security in this country. As I conclude, I hope that we will be able to have more Border Security Centers of Excellence, and I look forward to working with this committee and the authorizing committee to ensure that in comprehensive immigration reform we have the technology, the personnel, the training, the research, and the education to make it work as it should.

With that, I yield back the balance of my time.

Madam Chair, thank you for this opportunity to explain my proposed amendment, which simply gives the Secretary of Homeland Security the flexibility to conduct the study on the feasibility of expanding the membership of university-based Homeland Security Centers of Excellence.

The mission of the Department of Homeland Security Centers of Excellence is to:

Undertake research and education initiatives designed to meet the needs of the Department of Homeland Security, border security and immigration in a global context.

Develop and use cutting-edge research methodologies focused on the unique science, technology, and policy issues within this domain.

Develop educational programs in order to educate current and/or future practitioners and researchers in the relevant disciplines, and to help define emerging education areas.

Under current law composition of membership of Homeland Security Centers, the number of centers is limited by law and can only be enlarged by Congress.

This amendment allows the Secretary of Homeland Security to conduct a study to gather information needed by Congress in determining eligibility of more universities.

In my congressional district, 18th Congressional District of Houston, TX, there are a number of institutions that have the expertise in research and staffing that would be in addition to this consortium involved in the Border Security Center of Excellence, such as the University of Houston and Texas Southern University.

My amendment would just simply allow the United States to benefit from the expertise from new Homeland Security Centers of Excellence. I look forward to working toward adding more Border Security Centers of Excellence.

The Acting CHAIR (Ms. FOX). The question is on the amendment offered by the gentleman from Georgia (Mr. GINGREY).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. BISHOP of New York.

Amendment by Mr. MORAN of Virginia.

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. RYAN of Ohio.

Amendment No. 1 by Mr. CASSIDY of Louisiana.

Amendment by Mr. MEADOWS of North Carolina.

Amendment No. 4 by Mr. THOMPSON of Mississippi.

Amendment by Mr. RUNYAN of New Jersey.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 80, noes 345, not voting 9, as follows:

[Roll No. 199]

AYES—80

Amash	Grimm	Perlmutter
Andrews	Gutierrez	Polis
Bass	Higgins	Rahall
Bentivolio	Himes	Rangel
Bishop (NY)	Holt	Rice (SC)
Bonomici	Huffman	Richmond
Braley (IA)	Israel	Sánchez, Linda
Brown (FL)	Jeffries	T.
Burgess	Kelly (IL)	Schrader
Capps	Kildee	Schwartz
Carney	Kilmer	Sensenbrenner
Cartwright	Kind	Serrano
Clyburn	Larson (CT)	Slaughter
Connolly	Lee (CA)	Smith (WA)
Conyers	Maffei	Speier
Courtney	Maloney,	Swalwell (CA)
Crowley	Carolyn	Thompson (CA)
DeFazio	Massie	Tonko
Doyle	Matheson	Tsongas
Duncan (TN)	McGovern	Van Hollen
Edwards	Meeks	Velázquez
Ellison	Meng	Wasserman
Engel	Michaud	Schultz
Esty	Miller, George	Waters
Farr	Murphy (PA)	Watt
Garamendi	Nadler	Welch
Gohmert	Napolitano	Yoho
Green, Gene	Pallone	

NOES—345

Aderholt	Conaway	Goodlatte
Alexander	Cook	Gosar
Amodei	Cooper	Gowdy
Bachmann	Costa	Granger
Bachus	Cotton	Graves (GA)
Barber	Cramer	Graves (MO)
Barletta	Crawford	Grayson
Barr	Crenshaw	Green, Al
Barrow (GA)	Cuellar	Griffin (AR)
Barton	Culberson	Griffith (VA)
Beatty	Cummings	Guthrie
Becerra	Daines	Hahn
Benishek	Davis (CA)	Hall
Bera (CA)	Davis, Danny	Hanabusa
Bilirakis	Davis, Rodney	Hanna
Bishop (GA)	DeGette	Harper
Bishop (UT)	Delaney	Harris
Black	DeLauro	Hartzler
Blackburn	DelBene	Hastings (FL)
Blumenauer	Denham	Hastings (WA)
Bonner	Dent	Heck (NV)
Boustany	DeSantis	Heck (WA)
Brady (PA)	DesJarlais	Hensarling
Brady (TX)	Deutch	Herrera Beutler
Bridenstine	Diaz-Balart	Hinojosa
Brooks (AL)	Dingell	Holding
Brooks (IN)	Doggett	Honda
Brown (GA)	Duckworth	Horsford
Brownley (CA)	Duffy	Hoyer
Buchanan	Duncan (SC)	Hudson
Bucshon	Ellmers	Huelskamp
Bustos	Enyart	Huizenga (MI)
Butterfield	Eshoo	Hultgren
Calvert	Farenthold	Hunter
Camp	Fattah	Hurt
Cantor	Fincher	Issa
Capito	Fitzpatrick	Jackson Lee
Capuano	Fleischmann	Jenkins
Cárdenas	Fleming	Johnson (GA)
Carson (IN)	Flores	Johnson (OH)
Carter	Forbes	Johnson, E. B.
Cassidy	Fortenberry	Johnson, Sam
Castor (FL)	Foster	Jones
Castro (TX)	Foxo	Jordan
Chabot	Frankel (FL)	Joyce
Chaffetz	Franks (AZ)	Kaptur
Chu	Frelinghuysen	Keating
Cicilline	Fudge	Kelly (PA)
Clarke	Gabbard	Kennedy
Clay	Galleo	King (IA)
Cleaver	Garcia	King (NY)
Coble	Gardner	Kingston
Coffman	Garrett	Kinzinger (IL)
Cohen	Gerlach	Kirkpatrick
Cole	Gibbs	Kline
Collins (GA)	Gibson	Kuster
Collins (NY)	Gingrey (GA)	Labrador

LaMalfa	O'Rourke	Schweikert
Lamborn	Olson	Scott (VA)
Lance	Owens	Scott, Austin
Lankford	Palazzo	Scott, David
Larsen (WA)	Pascarell	Sessions
Latham	Pastor (AZ)	Sewell (AL)
Latta	Paulsen	Shea-Porter
Levin	Payne	Sherman
Lewis	Pearce	Shimkus
Lipinski	Pelosi	Shuster
LoBiondo	Perry	Simpson
Loebsack	Peters (CA)	Sinema
Lofgren	Peters (MI)	Smith (MO)
Long	Peterson	Smith (NE)
Lowenthal	Petri	Smith (NJ)
Lowe	Pingree (ME)	Smith (TX)
Lucas	Pitts	Southerland
Luetkemeyer	Pocan	Stewart
Lujan Grisham	Poe (TX)	Stivers
(NM)	Pompeo	Stockman
Luján, Ben Ray	Posey	Stutzman
(NM)	Price (GA)	Takano
Lummis	Price (NC)	Terry
Lynch	Quigley	Thompson (MS)
Maloney, Sean	Radel	Thompson (PA)
Marchant	Reed	Thornberry
Marino	Reichert	Tiberi
Matsui	Renacci	Tierney
McCarthy (CA)	Ribble	Tipton
McCaul	Rigell	Titus
McClintock	Roby	Turner
McCollum	Roe (TN)	Upton
McDermott	Rogers (AL)	Valadao
McIntyre	Rogers (KY)	Vargas
McKeon	Rogers (MI)	Veasey
McKinley	Rohrabacher	Vela
McMorris	Rokita	Visclosky
McRodgers	Rooney	Wagner
McSweeney	Ros-Lehtinen	Walberg
Meadows	Roskam	Walden
Meehan	Ross	Walorski
Messer	Rothfus	Walz
Mica	Roybal-Allard	Waxman
Miller (FL)	Royce	Weber (TX)
Miller (MI)	Ruiz	Webster (FL)
Miller, Gary	Runyan	Wenstrup
Moore	Ruppersberger	Westmoreland
Moran	Rush	Whitfield
Mullin	Ryan (OH)	Williams
Mulvaney	Ryan (WI)	Wilson (FL)
Murphy (FL)	Salmon	Wilson (SC)
Neal	Sanchez, Loretta	Wittman
Negrete McLeod	Sanford	Wolf
Neugebauer	Sarbanes	Womack
Noem	Scalise	Woodall
Nolan	Schakowsky	Yarmuth
Nugent	Schiff	Yoder
Nunes	Schneider	Young (AK)
Nunnelee	Schock	Young (IN)

NOT VOTING—9

Campbell	Markey	Pittenger
Grijalva	McCarthy (NY)	Sires
Langevin	McHenry	Young (FL)

□ 2228

Messrs. HANNA, BEN RAY LUJÁN of New Mexico, HASTINGS of Florida, Ms. MATSUI, Messrs. CAPUANO, DAVID SCOTT of Georgia, DANNY K. DAVIS of Illinois, Mrs. BACHMANN, Messrs. FATTAH, CÁRDENAS, CHABOT, KELLY of Pennsylvania, CICILLINE, PASTOR of Arizona, BLUMENAUER, Ms. FUDGE, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. PAYNE, SCOTT of Virginia, RUSH, HONDA, and LEWIS changed their vote from “aye” to “no.”

Messrs. SENSENBRENNER, GOHMERT, YOHO, RAHALL, and THOMPSON of California changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LANGEVIN. Madam Chair, on rollcall vote No. 199, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MR. MORAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 261, not voting 8, as follows:

[Roll No. 200]

AYES—165

Amash	Gabbard	Neal
Andrews	Garamendi	Negrete McLeod
Bass	Grayson	Nolan
Beatty	Green, Al	O'Rourke
Becerra	Green, Gene	Pallone
Bishop (GA)	Gutierrez	Pascarell
Bishop (NY)	Hahn	Pastor (AZ)
Blumenauer	Hanabusa	Payne
Bonomici	Hastings (FL)	Pelosi
Brady (PA)	Heck (WA)	Peters (CA)
Braley (IA)	Higgins	Peterson
Brown (FL)	Himes	Pingree (ME)
Brownley (CA)	Hinojosa	Pocan
Bustos	Holt	Polis
Butterfield	Honda	Price (NC)
Capps	Horsford	Quigley
Capuano	Hoyer	Rangel
Cárdenas	Huffman	Richmond
Carney	Israel	Royal-Allard
Carson (IN)	Jackson Lee	Ruppersberger
Cartwright	Jeffries	Ryan (OH)
Castor (FL)	Johnson (GA)	Sánchez, Linda
Castro (TX)	Johnson, E. B.	T.
Chu	Kaptur	Sarbanes
Cicilline	Keating	Schakowsky
Clarke	Kelly (IL)	Schneider
Clay	Kennedy	Schrader
Cleaver	Kildee	Schwartz
Clyburn	Kilmer	Scott (VA)
Cohen	Kind	Scott, David
Connolly	Kuster	Serrano
Conyers	Langevin	Sewell (AL)
Cooper	Larsen (WA)	Sherman
Costa	Larson (CT)	Smith (WA)
Courtney	Levin	Speier
Crowley	Lewis	Swalwell (CA)
Cummings	Loebsack	Takano
Davis (CA)	Lofgren	Thompson (CA)
DeFazio	Lowenthal	Thompson (MS)
DeGette	Lowe	Tierney
Delaney	Lujan Grisham	Tonko
DeLauro	(NM)	Tsongas
DelBene	Luján, Ben Ray	Van Hollen
Deutch	(NM)	Vargas
Dingell	Maloney,	Veasey
Doggett	Carolyn	Velázquez
Doyle	McCollum	Visclosky
Duckworth	McDermott	Walz
Edwards	McGovern	Wasserman
Ellison	Meeks	Schultz
Engel	Meng	Waters
Enyart	Michaud	Watt
Esty	Miller, George	Waxman
Farr	Moore	Welch
Fattah	Moran	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth
Fudge	Napolitano	

NOES—261

Aderholt	Benishek	Bridenstine
Alexander	Bentivolio	Brooks (AL)
Amodei	Bera (CA)	Brooks (IN)
Bachmann	Bilirakis	Brown (GA)
Bachus	Bishop (UT)	Buchanan
Barber	Black	Bucshon
Barletta	Blackburn	Burgess
Barr	Bonner	Calvert
Barrow (GA)	Boustany	Camp
Barton	Brady (TX)	Cantor

Capito Issa Reichert
 Carter Jenkins Renacci
 Cassidy Johnson (OH) Ribble
 Chabot Johnson, Sam Rice (SC)
 Chaffetz Jones Rigell
 Coble Jordan Roby
 Coffman Joyce Roe (TN)
 Cole Kelly (PA) Rogers (AL)
 Collins (GA) King (IA) Rogers (KY)
 Collins (NY) King (NY) Rogers (MI)
 Conaway Kingston Rohrabacher
 Cook Kinzinger (IL) Rokita
 Cotton Kirkpatrick Rooney
 Cramer Kline Ros-Lehtinen
 Crawford Labrador Roskam
 Crenshaw LaMalfa Ross
 Cuellar Lamborn Rothfus
 Culberson Lance Royce
 Daines Lankford Ruiz
 Davis, Danny Latham Runyan
 Davis, Rodney Latta Rush
 Denham Lee (CA) Ryan (WI)
 Dent Lipinski Salmon
 DeSantis LoBiondo Sanchez, Loretta
 DesJarlais Long Sanford
 Diaz-Balart Lucas Scalise
 Duffy Luetkemeyer Schiff
 Duncan (SC) Lummis Schock
 Duncan (TN) Lynch Schweikert
 Ellmers Maffei Scott, Austin
 Eshoo Maloney, Sean Sensenbrenner
 Farenthold Marchant Sessions
 Fincher Marino Shea-Porter
 Fitzpatrick Massie Shimkus
 Fleischmann Matheson Shuster
 Fleming Matsui Simpson
 Flores McCarthy (CA) Sinema
 Forbes McCaul Slaughter
 Fortenberry McClintock Smith (MO)
 Foster McIntyre Smith (NE)
 Foxx McKeon Smith (NJ)
 Franks (AZ) McKinley Smith (TX)
 Frelinghuysen McMorris Southerland
 Gallego Rodgers Stewart
 Garcia McNeerney Stivers
 Gardner Meadows Stockman
 Garrett Meehan Cantor
 Gerlach Messer Stutzman
 Gibbs Mica Terry
 Gibson Miller (FL) Thompson (PA)
 Gingrey (GA) Miller (MI) Thornberry
 Gohmert Miller, Gary Tiberi
 Goodlatte Mullin Tipton
 Gosar Mulvaney Titus
 Gowdy Murphy (FL) Turner
 Granger Murphy (PA) Upton
 Graves (GA) Neugebauer Valadao
 Graves (MO) Noem Vela
 Griffin (AR) Nugent Wagner
 Griffith (VA) Nunes Walberg
 Grimm Nunnelee Walden
 Guthrie Olson Walorski
 Hall Owens Weber (TX)
 Hanna Palazzo Webster (FL)
 Harper Paulsen Wenstrup
 Harris Pearce Westmoreland
 Hartzler Perlmutter Whitfield
 Hastings (WA) Perry Williams
 Heck (NV) Peters (MI) Wilson (SC)
 Hensarling Petri Wittman
 Herrera Beutler Pitts Wolf
 Holding Poe (TX) Womack
 Hudson Pompeo Woodall
 Huelskamp Posey Yoder
 Huizenga (MI) Price (GA) Yoho
 Hultgren Radel Young (AK)
 Hunter Rahall Young (IN)
 Hurt Reed

NOT VOTING—8

Campbell McCarthy (NY) Sires
 Grijalva McHenry Young (FL)
 Markey Pittenger

□ 2234

Ms. SHEA-PORTER and Mr. SCHIFF changed their vote from “aye” to “no.” So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings

were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 247, not voting 7, as follows:

[Roll No. 201]

AYES—180

Alexander Griffith (VA) Perry
 Amash Guthrie Peterson
 Bachmann Harper Petri
 Bachus Harris Pitts
 Barr Hartzler Poe (TX)
 Barton Hensarling Polis
 Benishek Herrera Beutler Pompeo
 Bentivolio Holding Posey
 Bilirakis Holt Price (GA)
 Bishop (UT) Hudson Radel
 Black Huelskamp Rahall
 Blackburn Huizenga (MI) Reichert
 Bonner Hultgren Ribble
 Boustany Hunter Rice (SC)
 Bridenstine Hurt Roe (TN)
 Brooks (AL) Issa Rogers (AL)
 Brooks (IN) Jenkins Rogers (MI)
 Broun (GA) Johnson (GA) Rohrabacher
 Buchanan Johnson (OH) Rokita
 Bucshon Jones Rooney
 Burgess Jordan Ros-Lehtinen
 Butterfield King (IA) Ross
 Cantor Kingston Kline
 Cassidy Labrador Royce
 Chabot LaMalfa Ryan (WI)
 Chaffetz Lamborn Salmon
 Coffman Lance Sanchez, Loretta
 Collins (GA) Lankford Sanford
 Cotton Latta Scalise
 Cramer Lofgren Schock
 Crawford Long Schrader
 Crenshaw Luetkemeyer Schweikert
 Daines Lummis Scott, Austin
 Davis, Danny Maffei Sensenbrenner
 Davis, Rodney Marchant Shuster
 DeSantis Massie Smith (MO)
 DesJarlais McCarthy (CA) Smith (NE)
 Duffy McCaul Southerland
 Duncan (SC) McClintock Stewart
 Duncan (TN) McMorris Stockman
 Ellmers Rodgers Stutzman
 Farenthold Meadows Tiberi
 Fincher Whitfield Tipton
 Fleischmann Fleming Williams
 Fleming Miller (MI) Wilson (SC)
 Franks (AZ) Miller, George Wittman
 Garamendi Mullin Wolf
 Gardner Mulvaney Womack
 Garrett Nadler Neugebauer Woodall
 Gibbs Gibson Noem
 Gibson Young (AK) Yoder
 Gingrey (GA) Nolan Young (IN)
 Gohmert Nugent
 Goodlatte Nunes
 Gosar Nunnelee
 Gowdy Olson
 Graves (GA) Palazzo
 Graves (MO) Paulsen
 Green, Gene Pearce
 Griffin (AR) Pelosi

NOES—247

Aderholt Carson (IN)
 Amodei Carter
 Andrews Cartwright
 Barber Castor (FL)
 Barletta Brown (FL)
 Barrow (GA) Brownley (CA)
 Bass Bustos
 Beatty Calvert
 Becerra Capito
 Bera (CA) Capps
 Bishop (GA) Capuano
 Bishop (NY) Cárdenas
 Blumenauer Carney

Cole Jeffries Price (NC)
 Collins (NY) Johnson, E. B. Quigley
 Conaway Johnson, Sam Rangel
 Connolly Joyce Reed
 Conyers Kaptur Renacci
 Cook Keating Richmond
 Cooper Kelly (IL) Rigell
 Costa Kelly (PA) Roby
 Courtney Kennedy Rogers (KY)
 Crowley Kildeer Roskam
 Cuellar Kilmier Roybal-Allard
 Culberson Kind Ruiz
 Cummings King (NY) Runyan
 Davis (CA) Kinzinger (IL) Ruppertsberger
 DeFazio Kirkpatrick Rush
 DeGette Kuster Ryan (OH)
 Delaney Langevin Sánchez, Linda
 DeLauro Larsen (WA) T.
 DeBene Larson (CT) Sarbanes
 Denham Latham Schakowsky
 Dent Lee (CA) Schiff
 Deutch Levin Schneider
 Diaz-Balart Lewis Schwartz
 Doggett Lipinski Scott (VA)
 Doyle LoBiondo Scott, David
 Duckworth Loeb sack Serrano
 Edwards Lowenthal Sessions
 Ellison Lucas Sewell (AL)
 Engel Lujan Grisham Shea-Porter
 Enyart (NM) Sherman
 Eshoo Luján, Ben Ray Shimkus
 Esty (NM) Simpson
 Farr Lynch Sinema
 Fattah Maloney Slaughter
 Fitzpatrick Carolyne Smith (NJ)
 Flores Maloney, Sean Smith (TX)
 Forbes Marino Smith (WA)
 Fortenberry Matheson Speier
 Foster Matusi Stivers
 Foxx McColium Swalwell (CA)
 Frankel (FL) McDermott Takano
 Frelinghuysen McGovern Terry
 Fudge Thompson (CA)
 Gabbard McIntyre Thompson (MS)
 Gallego McKeon Thompson (PA)
 Garcia McKinley Thornberry
 Gerlach McNeerney Titus
 Meehan Meehan Tonko
 Granger Meeks Tsongas
 Grayson Meng Turner
 Green, Al Michaud Valadao
 Grijalva Miller (FL) Van Hollen
 Grimm Miller, Gary Vargas
 Gutierrez Moore Veasey
 Hahn Moran Vela
 Hall Murphy (FL) Velázquez
 Hanabusa Murphy (PA) Visclosky
 Hanna Napolitano Walden
 Hastings (FL) Neal Wasserman
 Hastings (WA) Negrete McLeod Schultz
 Heck (NV) O'Rourke Waters
 Heck (WA) Owens Watt
 Higgins Pallone Waxman
 Himes Pascrell Weber (TX)
 Hinojosa Pastor (AZ) Welch
 Honda Payne Wilson (FL)
 Horsford Perlmutter Wilson (SC)
 Hoyer Peters (CA) Wittman
 Huffman Peters (MI) Wolf
 Israel Pingree (ME) Yarmuth
 Jackson Lee Pocan Young (IN)

NOT VOTING—7

Campbell McHenry Young (FL)
 Markey Pittenger
 McCarthy (NY) Sires

□ 2239

Mr. OLSON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. RYAN OF OHIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. RYAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 50, noes 373, answered “present” 1, not voting 10, as follows:

[Roll No. 202]

AYES—50

Beatty	Green, Gene	Renacci
Buchanan	Griffith (VA)	Richmond
Burgess	Honda	Rogers (MI)
Capps	Hunter	Rooney
Cárdenas	Israel	Ryan (OH)
Chabot	Johnson (OH)	Schrader
Clarke	Jordan	Schweikert
Courtney	Joyce	Shuster
Crenshaw	Kaptur	Stivers
Crowley	Kingston	Stutzman
Culberson	Larson (CT)	Tiberi
Doyle	Latta	Visclosky
Franks (AZ)	Mulvaney	Welch
Fudge	Owens	Westmoreland
Gibbs	Pascrell	Wolf
Gohmert	Pingree (ME)	Yoder
Granger	Poe (TX)	

NOES—373

Aderholt	Conyers	Grayson
Alexander	Cook	Green, Al
Amash	Cooper	Griffin (AR)
Amodei	Costa	Grijalva
Andrews	Cotton	Grimm
Bachmann	Cramer	Guthrie
Bachus	Crawford	Gutierrez
Barber	Cuellar	Hahn
Barletta	Cummings	Hall
Barr	Daines	Hanabusa
Barrow (GA)	Davis (CA)	Hanna
Barton	Davis, Danny	Harper
Bass	Davis, Rodney	Harris
Becerra	DeFazio	Hartzler
Benishek	DeGette	Hastings (FL)
Bentivolio	Delaney	Hastings (WA)
Bera (CA)	DeLauro	Heck (NV)
Bilirakis	DelBene	Heck (WA)
Bishop (GA)	Denham	Hensarling
Bishop (NY)	Dent	Herrera Beutler
Bishop (UT)	DeSantis	Higgins
Black	DesJarlais	Himes
Blackburn	Deutch	Hinojosa
Blumenauer	Diaz-Balart	Holding
Bonamici	Dingell	Holt
Bonner	Doggett	Horsford
Boustany	Duckworth	Hoyer
Brady (PA)	Duffy	Hudson
Brady (TX)	Duncan (SC)	Huelskamp
Braley (IA)	Duncan (TN)	Huffman
Bridenstine	Edwards	Huizenga (MI)
Brooks (AL)	Ellison	Hultgren
Brooks (IN)	Ellmers	Hurt
Broun (GA)	Engel	Issa
Brown (FL)	Enyart	Jackson Lee
Brownley (CA)	Eshoo	Jeffries
Bucshon	Esty	Jenkins
Bustos	Farenthold	Johnson (GA)
Butterfield	Farr	Johnson, E. B.
Calvert	Fattah	Johnson, Sam
Camp	Fincher	Jones
Cantor	Fitzpatrick	Keating
Capito	Fleischmann	Kelly (IL)
Capuano	Fleming	Kelly (PA)
Carney	Flores	Kennedy
Carson (IN)	Forbes	Kildee
Carter	Fortenberry	Kilmer
Cartwright	Foster	Kind
Cassidy	Fox	King (IA)
Castor (FL)	Frankel (FL)	King (NY)
Castro (TX)	Frelinghuysen	Kinzinger (IL)
Chaffetz	Gabbard	Kirkpatrick
Chu	Galleo	Kline
Cicilline	Garamendi	Kuster
Clay	Garcia	Labrador
Clyburn	Gardner	LaMalfa
Coble	Gerlach	Lamborn
Coffman	Gibson	Lance
Cohen	Gingrey (GA)	Langevin
Cole	Goodlatte	Lankford
Collins (GA)	Gosar	Larsen (WA)
Collins (NY)	Gowdy	Latham
Conaway	Graves (GA)	Lee (CA)
Connolly	Graves (MO)	Levin

Lewis	Olson	Sessions
Lipinski	Palazzo	Swell (AL)
LoBiondo	Pallone	Shea-Porter
Loeb	Pastor (AZ)	Sherman
Lofgren	Paulsen	Shimkus
Long	Payne	Simpson
Lowenthal	Pearce	Sinema
Lowe	Pelosi	Slaughter
Lucas	Perlmutter	Smith (MO)
Luetkemeyer	Perry	Smith (NE)
Lujan Grisham	Peters (CA)	Smith (NJ)
(NM)	Peters (MI)	Smith (TX)
Luján, Ben Ray	Peterson	Smith (WA)
(NM)	Petri	Southerland
Lummis	Pitts	Speier
Lynch	Pocan	Stewart
Maffei	Polis	Stockman
Maloney,	Pompeo	Swalwell (CA)
Carolyn	Posey	Takano
Maloney, Sean	Price (GA)	Terrill
Marchant	Price (NC)	Thompson (CA)
Marino	Quigley	Thompson (MS)
Massie	Radel	Thompson (PA)
Matheson	Rahall	Thornberry
Matsui	Rangel	Tierney
McCarthy (CA)	Reed	Tipton
McCaul	Reichert	Titus
McClintock	Ribble	Tonko
McDermott	Rice (SC)	Tsongas
McGovern	Rigell	Turner
McIntyre	Roby	Upton
McKeon	Roe (TN)	Valadao
McKinley	Rogers (AL)	Van Hollen
McMorris	Rogers (KY)	Vargas
Rodgers	Rohrabacher	Veasey
McNerney	Rokita	Vela
Meadows	Ros-Lehtinen	Velázquez
Meehan	Roskam	Wagner
Meeks	Ross	Walberg
Meng	Rothfus	Walden
Messer	Roybal-Allard	Walorski
Mica	Royce	Walz
Michaud	Ruiz	Wasserman
Miller (FL)	Runyan	Schultz
Miller (MI)	Rush	Watt
Miller, Gary	Ryan (WI)	Waxman
Miller, George	Salmon	Weber (TX)
Moore	Sánchez, Linda	Webster (FL)
Moran	T.	Wenstrup
Mullin	Sanchez, Loretta	Whitfield
Murphy (FL)	Sanford	Williams
Murphy (PA)	Sarbanes	Wilson (FL)
Nadler	Scalise	Wilson (SC)
Napolitano	Schakowsky	Wittman
Neal	Schiff	Wittman
Negrete McLeod	Schneider	Womack
Neugebauer	Schock	Woodall
Noem	Schwartz	Yarmuth
Nolan	Scott (VA)	Yoho
Nugent	Scott, Austin	Young (AK)
Nunes	Scott, David	Young (IN)
Nunnelee	Sensenbrenner	
O'Rourke	Serrano	

ANSWERED “PRESENT”—1

McCollum

NOT VOTING—10

Campbell	McCarthy (NY)	Sires
Cleaver	McHenry	Young (FL)
Garrett	Pittenger	
Markey	Ruppersberger	

□ 2242

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. CASSIDY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 281, noes 146, not voting 7, as follows:

[Roll No. 203]

AYES—281

Aderholt	Frelinghuysen	Moore	
Alexander	Fudge	Moran	
Amodei	Gabbard	Mullin	
Andrews	Galleo	Murphy (FL)	
Bachus	Garcia	Murphy (PA)	
Barber	Gerlach	Nadler	
Barletta	Gibson	Napolitano	
Barrow (GA)	Grayson	Neal	
Barton	Green, Al	Negrete McLeod	
Bass	Green, Gene	Nolan	
Beatty	Griffin (AR)	Nunes	
Becerra	Grijalva	Nunnelee	
Bera (CA)	Grimm	O'Rourke	
Bilirakis	Gutierrez	Olson	
Bishop (GA)	Hahn	Owens	
Bishop (NY)	Hall	Palazzo	
Bishop (UT)	Hanabusa	Pallone	
Black	Harper	Pascrell	
Blackburn	Harris	Pastor (AZ)	
Bonamici	Hastings (FL)	Payne	
Bonner	Heck (WA)	Pelosi	
Boustany	Herrera Beutler	Perlmutter	
Brady (PA)	Higgins	Peters (MI)	
Brady (TX)	Himes	Peterson	
Braley (IA)	Hinojosa	Pingree (ME)	
Bridenstine	Holt	Pitts	
Brooks (AL)	Honda	Pocan	
Brooks (IN)	Horsford	Posey	
Broun (GA)	Hoyer	Price (NC)	
Brown (FL)	Israel	Quigley	
Brownley (CA)	Issa	Rahall	
Bucshon	Jackson Lee	Rangel	
Bustos	Jeffries	Reed	
Butterfield	Johnson (GA)	Rice (SC)	
Calvert	Johnson (OH)	Richmond	
Camp	Johnson, E. B.	Roby	
Cantor	Jones	Roe (TN)	
Capito	Kaptur	Rogers (AL)	
Capuano	Keating	Rogers (KY)	
Carney	Kelly (IL)	Rohrabacher	
Carson (IN)	Kennedy	Rooney	
Carter	Kildee	Ros-Lehtinen	
Cartwright	Kilmer	Roybal-Allard	
Cassidy	Kind	Ruiz	
Castor (FL)	King (IA)	Runyan	
Castro (TX)	King (NY)	Ruppersberger	
Chaffetz	Kirkpatrick	Rush	
Chu	Kline	Ryan (OH)	
Cicilline	Kuster	Ryan (WI)	
Clay	LaMalfa	Sanchez, Loretta	
Clyburn	Langevin	Sanford	
Coble	Larsen (WA)	Sarbanes	
Coffman	Larson (CT)	Scalise	
Cohen	Latham	Schakowsky	
Cole	Latta	Schiff	
Collins (GA)	Lee (CA)	Schneider	
Collins (NY)	Levin	Schock	
Conaway	Lewis	Schrader	
Connolly	Lipinski	Schwartz	
	LoBiondo	Scott (VA)	
	Loeb	Scott, David	
	Lofgren	Serrano	
	Lowenthal	Sewell (AL)	
	Lowe	Shea-Porter	
	Lujan Grisham	Sherman	
	(NM)	Shimkus	
	Luján, Ben Ray	Simpson	
	(NM)	Sinema	
	Lummis	Slaughter	
	Lynch	Smith (NJ)	
	Diaz-Balart	Smith (WA)	
	Doggett	Maloney,	Southerland
	Doyle	Carolyn	Speier
	Duckworth	Maloney, Sean	Stockman
	Edwards	Matheson	Swalwell (CA)
	Ellison	Matsui	Takano
	Ellmers	McCarthy (CA)	Thompson (CA)
	Engel	McCollum	Thompson (MS)
	Enyart	McDermott	Tiberi
	Eshoo	McGovern	Tierney
	Esty	McIntyre	Titus
	Farenthold	McKeon	Tonko
	Farr	McNerney	Tsongas
	Fattah	Meehan	Valadao
	Meeks	Meng	Van Hollen
	Fleming	Mica	Vargas
	Forbes	Michaud	Veasey
	Foster	Miller (FL)	Vela
	Frankel (FL)	Miller, Gary	Velázquez
			Visclosky

Walden
Walorski
Wasserman
Schultz
Waters

Watt
Waxman
Welch
Whitfield
Wilson (FL)

Wolf
Womack
Yarmuth
Young (AK)
Young (IN)

[Roll No. 204]

AYES—234

NOES—146

Amash
Bachmann
Barr
Benishek
Bentivolio
Bishop (UT)
Blumenauer
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Buchson
Burgess
Camp
Cantor
Capito
Carter
Chabot
Chaffetz
Cohen
Cole
Collins (GA)
Cooper
Cotton
Culberson
Daines
DeGette
DesSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Fincher
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Garamendi
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffith (VA)
Guthrie
Hanna
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huffman
Huiuzenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson, Sam
Jordan
Joyce
Kelly (PA)
Kingston
Kinzinger (IL)
Labrador
Lamborn
Lance
Lankford
Long
Lucas
Luetkemeyer
Marchant
Marino
Massie
McCaul
McClintock
McKinley
McMorris
Rodgers
Meadows
Messer
Miller (MI)
Miller, George
Mulvaney
Neugebauer
Noem
Nugent
Paulsen
Pearce
Perry
Peters (CA)
Petri

Poe (TX)
Polis
Pompeo
Price (GA)
Radel
Reichert
Renacci
Ribble
Rigell
Rogers (MI)
Rokita
Roskam
Ross
Rothfus
Royce
Salmon
Sánchez, Linda
T.
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Wagner
Walberg
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho

NOT VOTING—7

Campbell
Markey
McCarthy (NY)

McHenry
Pittenger
Sires

Young (FL)

□ 2247

Mrs. CAPITO and Mr. WITTMAN changed their vote from “aye” to “no.” So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MEADOWS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 192, not voting 8, as follows:

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (IN)
Broun (GA)
Buchanan
Buchson
Burgess
Calvert
Camp
Cantor
Capito
Cardenas
Cassidy
Chabot
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DeFazio
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Gabbard
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffith (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Higgins
Holding
Hudson
Huelskamp
Huiuzenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
Kilmer
King (IA)
Kingston
Koble
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson

Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schradler
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Vargas
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—192

Andrews
Barber
Barrow (GA)
Bass
Beatty
Bera (CA)
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brooks (AL)
Brown (FL)

Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clarke

Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney

DeLauro
DelBene
Dent
Deutch
Dingell
Ellison
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Frelinghuysen
Fudge
Gallego
Garcia
Gerlach
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kind

King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsock
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Price (NC)

Quigley
Richmond
Rogers (KY)
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Valadao
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

Becerra
Campbell
Markey

McCarthy (NY)
McHenry
Pittenger

Sires
Young (FL)

□ 2251

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. THOMPSON OF MISSISSIPPI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 280, not voting 8, as follows:

[Roll No. 205]

AYES—146

Alexander
Amash
Bass
Beatty
Benishek

Bentivolio
Bera (CA)
Bishop (GA)
Bishop (UT)
Blackburn

Blumenauer
Bonamici
Boustany
Brady (PA)
Broun (GA)

Moran	Roe (TN)	Stewart
Mulvaney	Rogers (AL)	Stivers
Murphy (FL)	Rogers (KY)	Stockman
Murphy (PA)	Rogers (MI)	Stutzman
Napolitano	Rohrabacher	Swalwell (CA)
Negrete McLeod	Rokita	Takano
Neugebauer	Roskam	Terry
Noem	Ross	Thompson (MS)
Nolan	Rothfus	Thompson (PA)
Nugent	Royce	Thornberry
Nunnelee	Rush	Tiberi
O'Rourke	Ryan (OH)	Tipton
Olson	Ryan (WI)	Turner
Palazzo	Salmon	Upton
Paulsen	Sánchez, Linda	Van Hollen
Pearce	T.	Velázquez
Perlmutter	Sanchez, Loretta	Wagner
Perry	Sanford	Walberg
Peters (CA)	Sarbanes	Walorski
Peterson	Scalise	Walz
Petri	Schakowsky	Watt
Pingree (ME)	Schiff	Weber (TX)
Pitts	Schock	Webster (FL)
Pocan	Schweikert	Wenstrup
Poe (TX)	Scott, Austin	Westmoreland
Polis	Scott, David	Whitfield
Pompeo	Sensenbrenner	Williams
Posey	Serrano	Wilson (SC)
Price (GA)	Sessions	Wittman
Radel	Shea-Porter	Wolf
Rahall	Sherman	Womack
Reichert	Shimkus	Woodall
Renacci	Shuster	Yoder
Ribble	Smith (MO)	Yoho
Rice (SC)	Smith (NE)	Young (IN)
Rigell	Smith (TX)	
Roby	Southerland	

NOT VOTING—8

Campbell	McHenry	Waters
Markey	Pittenger	Young (FL)
McCarthy (NY)	Sires	

□ 2300

Mr. SCHIFF changed his vote from “aye” to “no.”

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLORES

Mr. FLORES. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17142).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Madam Chairman, I rise to offer an amendment which addresses another restrictive and misguided Federal regulation.

Section 526 of the Energy Independence and Security Act prohibits Federal agencies from entering into contracts for the procurement of an alternative fuel unless its lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. In summary, my amendment would stop the government from enforcing this ban on all Federal agencies funded by the Department of Homeland Security appropriations bill.

The initial purpose of section 526 was to stifle the Defense Department’s plan to buy and develop coal-based or coal-to-liquids jet fuels. This restriction was based on the opinion of environ-

mentalists that coal-based jet fuel produces more greenhouse gas emissions than traditional petroleum.

We must ensure that our military has adequate fuel resources and can efficiently rely on domestic and more stable sources of fuel. But section 526’s ban on fuel choice now affects all Federal agencies, not just the Defense Department. This is why I’m offering this amendment today to the DHS appropriations bill.

Federal agencies should not be burdened with wasting their time studying fuel emissions when there is a simple fix, and that fix is to not restrict Federal Government fuel choices based on extreme environmental views, unsound policies, and misguided regulations like those in section 526.

With increasing competition for energy and fuel resources, and the continued volatility and instability in the Middle East, it is now more important than ever for our country to become more energy secure and to further develop and produce our domestic energy resources. Placing limits on Federal agencies’ fuel choices is an unacceptable precedent to set in regard to America’s energy policy and independence.

Madam Chair, section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help us promote American energy, improve the American economy, and create American jobs.

Madam Chairman, it is also important to note that this amendment does not prevent and does not restrict the ability of the Federal Government to purchase any alternative fuels, including biodiesel, ethanol, or other fuels from renewable resources. It places no restrictions whatsoever on that.

Let’s remember the following facts about section 526. It increases our reliance on Middle Eastern oil, it hurts our military readiness, our national security and our energy security, it prevents the increased use of safe, clean, and efficient North American oil and gas, it increases the cost of American food and energy, it hurts American jobs and the American economy, and last—but certainly not least—it costs our taxpayers more of their hard-earned dollars.

I offered this amendment to appropriation bills during the 112th Congress and they all passed on the floor of the House with strong bipartisan support. My friend, Mr. CONAWAY, also added similar language to the Defense authorization bill today to exempt the Defense Department from this burdensome regulation.

I urge my colleagues to support passage of this commonsense amendment, and I yield back the balance of my time.

Mr. CARTER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, we accept the gentleman’s amendment,

and I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the gentleman’s amendment. Section 526 of the Energy Independence and Security Act of 2007 is intended to ensure that the environmental costs from the use of alternative fuels are at least no worse than the fuels in use today. It requires the Federal Government do no more harm when it comes to harmful emissions and climate change than it does today through the use of unconventional fuels.

Section 526 precludes the use of fuels such as coal-to-liquids, as well as unconventional petroleum fuels such as tar sands and oil shale, unless advanced technologies such as carbon sequestration are used to mitigate their greenhouse gas emissions. This is a provision in law that I think affords important environmental protections, important conditions on the adoption of alternative fuels, so I think it would be a mistake for this body to prohibit in any way the enforcement of section 526. Therefore, I oppose the amendment and ask my colleagues to do likewise.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GINGREY of Georgia. Madam Chairman, I rise in strong support of the Flores amendment to H.R. 2217 that will prevent funds in this legislation from being used to carry out section 526 of the Energy Independence and Security Act of 2007. Section 526 prohibits all Federal agencies from contracting for alternative fuels that emit higher levels of greenhouse gas emissions than conventional petroleum sources.

□ 2310

This means that, if a Federal agency, particularly the Department of Defense and Homeland Security, has the ability of utilizing an alternative fuel that even has one scintilla more of carbon emissions than conventional fuels, it cannot be used. Some of you may not know what a “scintilla” is, but the professor from Duke does. It’s a very, very, very small amount. As a result, section 526 severely limits innovation from Homeland Security at Customs and Border Patrol to improve clean carbon capture technologies for alternative fuels, thereby increasing our dependence on foreign oil, and will only further increase fuel costs.

The amendment intends to remove the handcuffs placed on the agencies under this bill by section 526. This means that Homeland Security, the Department of Defense, particularly the Air Force, will still be able to purchase Canadian fuels with just traces—scintillas—of oil sands that may create

more of a carbon footprint than completely conventional fuel.

Madam Chairman, I support a full repeal of section 526 because the cost of refined product for DOD has increased by over 500 percent in the last 10 years when volume has only increased by 30 percent. The Flores amendment takes a very important step in achieving this goal by prohibiting funding to carry out section 526 for the upcoming fiscal year at Homeland Security.

With that in mind, I appreciate the opportunity to work with my colleague from Texas (Mr. FLORES) on this important issue. I urge this body to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FLORES).

The amendment was agreed to.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chairman, I rise to engage Chairman CARTER in a colloquy on the Science and Technology Directorate within the Department of Homeland Security.

Mr. Chairman, as you know, the enabling act that created the Homeland Security Department provided the new Department with special access to the Department of Energy's national laboratories. The intent was for DHS to utilize the unique capabilities at the national laboratories so that DHS would not build up the duplicative capabilities within the Department.

Building duplicative capabilities at different agencies is a poor use of taxpayer dollars, and there is no need to do so given the Department's access to the existing national labs. At a time when our government has dramatically reduced its ability to conduct cutting-edge research into new technologies, we must ensure that the Department of Homeland Security is using its resources in the most cost-effective methods possible.

Instead of reinventing the wheel and developing new capabilities, the DHS should be utilizing our DOE national labs whenever practicable as they conduct research, development, testing or evaluate activities. The national labs have first-rate capabilities in many areas relevant to Homeland Security, ranging from explosive detection technologies to advanced cybersecurity techniques. Mr. Chairman, I urge us to work with the Department to ensure that their research and development funds are effectively spent and not used to create redundant capabilities.

I yield to the gentleman from Texas, Chairman CARTER.

Mr. CARTER. I thank the gentleman for yielding, and I appreciate the gentleman from New Mexico for raising this issue.

As he has pointed out, the Department has the ability to utilize the in-

credible scientific resources of our national laboratories. I look forward to working with him on this important issue.

As our Nation continues to face a tight fiscal situation, it is vital that DHS work to ensure that its Science and Technology Directorates make good use of our government's existing capabilities.

Mr. BEN RAY LUJÁN of New Mexico. I thank the chairman and the ranking member for their work on this.

With that, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act may be used for U.S. Customs and Border Protection preclearance operations at Abu Dhabi International Airport in the United Arab Emirates. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MEEHAN. Madam Chairman, I rise today in support of the Meehan-DeFazio-Miller amendment. This amendment deals with the Department of Homeland Security, which has entered into an agreement to establish a Customs and Border Protection pre-clearance facility at the Abu Dhabi International Airport in the United Arab Emirates. There are currently other pre-clearance facilities in some countries around the world, and the purpose behind these is really to facilitate the travel for many who go through this at a facility away from the United States. We have huge backlogs at some of our critical airports, particularly in places like New York.

However, the ranking member on the Homeland Security subcommittee, on which I serve, along with the other members and some 150 Members of Congress, have joined me in a letter because we are concerned about the intent of what is done with this. The effect of it is really going to be to dramatically disadvantage American airlines.

You see, what's happening in Abu Dhabi is there is no American airline that flies from Abu Dhabi to the United States. This is solely being done for the benefit of an airline which is solely supported by the United Arab Emirates, and it is going to have a disparate impact on the ability for our American airlines to be competitive for the very simple reason that what will happen is many people will say, Well, I'm going to get to New York, and I've got a 3- or 4-hour wait in order to get through that line. I'm going to go to Abu Dhabi, and I'm going to fly through there on the foreign carrier.

All the jobs associated with our American airlines begin to be influ-

enced by supporting a foreign-based airline that will then increase its market share into the United States. It also starts to shift some of the favor of the placement of these facilities towards third parties' countries that will enter an agreement like is happening in Abu Dhabi where they are underwriting 80 percent of the cost. I don't want to see our Customs and Border Patrol to be for sale to the highest bidder, and that seems to be what one of the concerns is here.

The reality as well is that, the extent to which we think we are having an impact on terrorism, anybody is going to know: don't go through Abu Dhabi. Go through any of the other places that will still get you into the country without a pre-clearance that would be a check on a foreign area.

The last thing is that this is going to be partially funded with United States taxpayer dollars. Twenty percent of the cost is going to be associated with us, so why would American taxpayers be paying money to support what will actually be to the benefit of a foreign-based airline?

So along with 150 of my other colleagues, I hope that our amendment will ensure that taxpayer dollars do not go to subsidize the pre-clearance facility and the foreign government-owned airlines, and I urge Members of both parties to support it.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, I rise in support of this amendment. I think it's a good amendment, and I have the same concerns that are expressed by the author.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. The Customs and Border Protection pre-clearance program, Madam Chairman, serves a critical national security function by stationing CBP officers abroad at the cost of the host nation. This allows CBP officers to screen and make admissibility decisions on individuals, goods and baggage long before they ever leave a foreign port or could possibly become a threat to the homeland.

I myself have been screened as a part of pre-clearance operations in Canada and Ireland. Apparently, these operations offer not only a convenience for travelers but also an effective and efficient way of carrying out security operations.

□ 2320

In fiscal year 2012 alone, CBP officers and agriculture specialists pre-cleared more than 1.5 million travelers destined to the United States. To outright prohibit the expansion of this program to an area of the world where we know

terrorists are actively traveling and training and seeking to carry out missions of harm against the homeland simply makes no sense whatsoever.

I understand many domestic airlines have expressed concern that this deal would somehow give UAE-based airlines an upper hand, but there are some facts that aren't disputed and we simply should consider.

For one, CBP has stated numerous times that access to Abu Dhabi for American carriers would be a precondition of implementing preclearance there.

Secondly, our bill provides statutory language that prohibits preclearance operations at new locations until three conditions are met: the foreign and national security rationales have been provided to the Congress; a full cost analysis has been provided to the Congress; and an economic impact analysis of any new location on U.S. airline carriers has been conducted and provided to the Congress.

That's good language. That will be good oversight on our part, and I commend the chairman for including that language in our bill.

So given this language, given the known benefits for traveler convenience, for this country's security, the known benefits that this program provides, I simply can't support the gentleman's agreement and I urge its rejection.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEN RAY LUJÁN
OF NEW MEXICO

Mr. BEN RAY LUJÁN of New Mexico. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . For "Department of Homeland Security—Federal Emergency Management Agency—State and Local Programs" for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), as authorized by subsection (f)(2) of such section, there is hereby appropriated, and the amount otherwise provided by this Act for "Department of Homeland Security—Office of the Chief Financial Officer" is hereby reduced by, \$10,000,000.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Chair, in what has been one of the worst drought years in the recorded history of my home State of New Mexico, we're already feeling the effects of another severe fire season. Already, more than 18,000 acres of forest have burned as a result of two fires caused by downed power lines, and those numbers are growing as we speak. Hundreds of homes have been threatened and families have been evacuated. In 2011, during the Las

Conchas fire, we lost 150,000 acres of forest to wildfire, again caused by a downed power line.

The importance of disaster preparedness is key to saving human lives and property. My amendment today would make available an additional \$10 million for State and local grant programs to ensure local towns and communities can be prepared for catastrophic wildfires before they hit. This amendment is cost neutral.

While there may be concerns by some of my colleagues and even opposition, I would ask, Madam Chair, that we work together to understand that when there are communities burning that we reach out and we try to do what we can to help these innocent individuals.

My amendment would also allow local utilities to take preventive measures for the causes and impacts of wildfires. We must do all we can to ensure that communities have the resources they need to address the dangers and damages of wildfire before and after catastrophic events occur.

I urge my colleagues to support my amendment.

Madam Chair, before I yield back, I would like to take a moment to thank all of the firefighters for their brave service battling the Tres Lagunas and Thompson Ridge fires in northern New Mexico. Time and again, those on the frontline, as well as those on the command teams, have acted admirably while putting their lives at risk. To all of those who have volunteered, donated resources and lent a helping hand to the firefighters and our displaced friends and neighbors, God bless you and thank you for your hard work.

Again, Madam Chair, I urge my colleagues to consider supporting my amendment that will help our communities prepare for wildfires. And with that, Madam Chair, I thank the chairman and the ranking member for their work in this important area, and I yield back the balance of my time.

Mr. CARTER. Madam Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. In total, this bill provides \$2.5 billion for Homeland Security first responder grants. This is \$400 million above the President's request for fiscal year 2014 and \$35 million above fiscal year 2013.

This bill prioritizes funding. The consolidation in this bill forces the Secretary to examine the intelligence and risk and puts scarce dollars where they are needed most—whether it's a port, rail, surveillance or access in hardened projects, or whether it is to high-risk urban areas or to States, as opposed to reverse-engineering projects to fill the amount designated for one of many programs.

I strongly urge my colleagues to support fiscal discipline and vote "no" on this amendment. I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I have no objection to this amendment. In fact, I want to commend the gentleman for offering it.

He's in a tight spot with limited possibilities for offsetting the addition he wants to apply to the situation in his area that he describes. The offset is not ideal, but I'm certainly willing to work with him going forward to get more money directed to these vital emergency needs.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CARTER. Madam Chair, on this I would like a recorded vote, please.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

Mr. GOSAR. Madam Chairwoman, I move to strike the last word.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GOSAR. Madam Chairwoman, I rise today to engage in a colloquy with the subcommittee chairman, Congressman CARTER, regarding Operation Stonegarden, which is a facet of our Homeland Security operations and which is provided for in the Department of Homeland Security Appropriations Act for fiscal year 2014.

By way of background, Operation Stonegarden is a Department of Homeland Security grant program that is intended to provide a great deal of cooperation and coordination among Federal, State, local, municipal and tribal law enforcement agencies in a joint mission to secure the United States borders, including travel corridors in States that border Canada and Mexico, as well as States and territories with international water borders. The grants are made available to local units of government. They're made based on risk analysis and feasibility of the proposed investments demonstrated by the applicants.

I speak on behalf of local law enforcement entities in Arizona when I say that this program actually works. It serves to bolster resources available to law enforcement and border States as they do their best to tackle overwhelming problems of illegal immigration, in addition to illegal trafficking of drugs, persons, weapons and money. I hear nothing but praise for the program, and I know that the people of Arizona and other border States reap the benefits of this program whether they know the program by name or not. When people are involved in the process, you see certain programs and initiatives take off because everyone's input is respected, considered and valued.

In fact, the program works so well and is needed so badly that in 2009, Secretary Napolitano decided to extend an additional \$30 million to be divided amongst the States which needed the resources most. Though I may not agree with Arizona's former Governor on many issues, this is a decision I applauded.

The problem of illegal immigration is one that I think will remain for some time, which is why we are debating immigration reform in Congress today.

□ 2330

As I have said before, trust is a series of promises kept. Current and previous administrations held by both parties have failed to keep that promise, and so we are here today. Border security and interior enforcement are of utmost concern when considering immigration and the protection of our homeland, and this program is a prime example of the teamwork that is needed to deliver on the promises made to the people of this great Republic.

This investment in our Nation's homeland security is one that pays off over and over again, and it is my hope that future legislation will continue to provide robust resources for this program.

It is our collective duty as a deliberative body to ensure that we both support the Federal programs and initiatives that actually work, while simultaneously reducing or sunseting those that do not. I am pleased that the House has begun such a process in the past two Congresses, and I am proud to be part of it.

The people of Arizona and I thank the chairman for increasing the resources available to Operation Stonegarden relative to previous appropriations.

And with that, I yield to the chairman of the Appropriations Committee.

Mr. CARTER. I thank my friend for highlighting this important program. As a fellow border State Member, I am especially aware of the issues we face with illegal immigration and criminal trafficking across our borders, particularly our southern border. Operation Stonegarden provides valuable resources to local and tribal governments for coordination with their Federal counterparts and to assist them in furthering our Nation's border security. I look forward to working with my friend from Arizona and others as we move forward to ensure continued support for this worthy and valuable program.

Mr. GOSAR. I thank the gentleman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department

of Homeland Security to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that requires all new light duty vehicles in the Federal fleet to be alternate fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by September 31, 2015.

My amendment echoes the Presidential memorandum by prohibiting funds in the Homeland Security Appropriations Act from being used to lease or purchase new light duty vehicles except in accord with the President's memorandum.

I have introduced a similar amendment to nine different appropriations bill in the past 2 years, and each time it was accepted and passed by voice vote.

Our transportation sector is by far the biggest reason we send \$600 billion per year to hostile nations to pay for oil at ever-increasing costs. But America does not need to be dependent on foreign sources of oil for transportation fuel. Alternative technologies exist today that will allow any alternative fuel to be used in America's automotive fleet.

The Federal Government operates the largest fleet of light duty vehicles in America. According to the GSA, there are over 660,000 vehicles in the Federal fleet, with almost 55,000 being used by the Department of Homeland Security.

By supporting a diverse array of vehicle technologies in our Federal fleet, we will encourage development of domestic energy resources—including biomass, natural gas, agricultural waste, hydrogen and renewable electricity. Expanding the role these energy sources play in our transportation economy will help break the leverage over Americans held by foreign government-controlled oil companies, will increase our Nation's domestic security, protect consumers from price spikes and shortages in the world oil markets.

I ask that my colleagues support the Engel amendment.

On a similar note, I will soon be introducing the Open Fuels Act, which is similar to this, with our colleague, the gentlewoman from Florida, ILEANA ROS-LEHTINEN. Our bill would require 30 percent of new automobiles in 2015 and 50 percent in 2016 and every subsequent year to be able to be operated on nonpetroleum fuels in addition to or instead of petroleum-based fuels. And it would cost \$100 or less per car manufactured in America to do this.

Possibilities include the full array of existing technologies—including flex fuel, natural gas, hydrogen, biodiesel, plug-in electric drive, fuel cell, ethanol

and methanol, and a catchall for new technologies. I remember driving and going into a gasoline station in Brazil. I believe the chairwoman was with me at the time. And we noticed that there were all kinds of alternatives available to Brazilian consumers that were not available to American consumers, and it just seems to me that we ought to not only catch up but pull ahead and have that same kind of technology available to Americans.

So I encourage my colleagues to support this amendment and the Open Fuels Act as we work towards breaking our dependence on foreign oil, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chair, we support this amendment, and I yield to my colleague, Mr. PRICE.

Mr. PRICE of North Carolina. I thank the chairman for yielding, and simply want to also express my support for the amendment, and hope my colleagues will support it.

Mr. CARTER. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to finalize, implement, administer, or enforce the documents described in subsection (b).

(b) For purposes of this section, the documents described in this subsection are the following:

(1) Policy Number 10072.1, published on March 2, 2011.

(2) Policy Number 10075.1, published on June 17, 2011.

(3) Policy Number 10076.1, published on June 17, 2011.

(4) The Memorandum of November 17, 2011, from the Principal Legal Advisor of United States Immigration and Customs Enforcement pertaining to "Case-by-Case Review of Incoming and Certain Pending Cases".

(5) The Memorandum of June 15, 2012, from the Secretary of Homeland Security pertaining to "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children".

(6) The Memorandum of December 21, 2012, from the Director of United States Immigration and Customs Enforcement pertaining to "Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems".

Mr. KING of Iowa (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

Mr. PRICE of North Carolina. Madam Chair, I object. I think we want to hear this entire amendment.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. KING of Iowa. Madam Chair, this is an amendment that I offered last year that succeeded here on the floor by a vote of 238–175 in a bipartisan fashion. It's the amendment that simply says none of the funds made available in this act may be used to finalize, implement, administer, or enforce the documents described, which are known as the Morton memos.

The Morton memos are essentially executive edicts that have flowed from the White House, that have flowed also from the Secretary of Homeland Security, Janet Napolitano, down through John Morton, who is the Director of ICE; and they seek to implement an administrative amnesty policy. There are six of these memos, and the one we're most familiar with is the memo that grants what is known, generally speaking, as Dream Act Lite, which gives I'll say a legal status, if you accept the authority of the President to suspend immigration law, to those who fit four different classes of people.

Four classes of people granted administrative amnesty if they claim to have come to the United States under the age of 16; if they've been here over 5 years; if they have received a high school or a GED degree; or been honorably discharged from the military.

□ 2340

And in the memo, particularly the one who is the Dream Act Light memo, dated June 15 of 2012, seven times they mention that prosecutorial discretion on an individual basis.

Well, this sets up four classes of people. It has been the subject of litigation. The litigation that's gone to a Federal court in Texas is the case of Crane v. Napolitano. Chris Crane is the President of the ICE union. They made 10 points to the unconstitutionality of these memos which direct ICE sometimes to break the very immigration law that they've pledged to uphold.

And so I have in my hand the decision that came down from that district in Texas, and it's a northern district of Texas. And of the 10 points made in this case, the judge upheld 9 of them in the favor of the Constitution and the rule of law. The 10th one he sent back to them and said, the government hasn't given us a clear enough argument; rewrite that and I'll give you another decision on it. I expect that all 10 are likely to be found in the favor of the Constitution and the rule of law.

The point here is, Madam Chair, the President does not have the authority to waive immigration law, nor does he have the authority to create it out of thin air, and he's done both with these Morton memos in this respect.

They do have prosecutorial discretion, I concede that point. But the President nor do any of his agents through the executive branch of government have the authority to create

classes of people and waive the enforcement of immigration law for classes of people and then, on top of that, create a work permit out of thin air.

That's just a couple of these memos, of these six memos that are there all together. And we should remember that the memo dated November 17, 2011, includes 475,000 people who had already been adjudicated for deportation. And the President, through his agents in the executive branch, has ordered that the people that have been adjudicated for deportation on those lists should have the law waived and they should stay in the United States even though the law that requires that they've already been adjudicated for deportation—300,000 of the 475,000 have already been granted an administrative legal presence.

This Congress has the full authority to establish immigration law. The President takes an oath of office to take care that the laws be faithfully executed. And every single document that provides lawful presence in the United States of America, aside from a naturally born American citizen, is a product of this Congress, not a product of the pen of the President or the people whom he appoints.

And so this is an amendment that prohibits the resources from being used to enforce the Morton memos, and it conforms with the Founding Fathers' vision, and it conforms with the Constitution in that the President cannot defy his own oath of office. He can't defy the Constitution. The President can't take on Article I authority and legislate by executive order or edict or press conference. That's the job of this Congress. That's why we are Article I. He is Article II.

And whatever people think of the impending immigration policy here in the United States, we cannot allow the executive branch to usurp the legislative authority of the United States Congress. If we allow that to happen in immigration, it could happen to anything.

So I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chairman, I rise with great disappointment, and I think "sadness" is the right word. This is an amendment that I very much hoped would not be offered tonight. I know that many in this Chamber hoped it would not be offered tonight.

It's a "poison pill" amendment. That's a term I've not used tonight, and it's a term I don't use lightly. I very much hoped this amendment would not be offered, and I hope now that it's been offered that it is not fated to pass.

We've worked for months cooperatively on this Homeland Security ap-

propriations bill. As I said in announcing bipartisan support for this bill at the beginning of today's debate, I commended the chairman heartily and the staff and Members who have worked so hard on this in a bipartisan fashion, trying to come together. We gave a little, we took a little, but we did understand that it was important for this institution and for our Nation's security to come together on a Homeland Security bill that most Members of this Chamber could support. And for that reason, most divisive issues, most extraneous issues that have the capacity to divide us, and, in fact, to destroy that bipartisan support, most of those have been conscientiously avoided. And that has included, until this moment, the offering of amendments on this floor.

The gentleman describes this as an amendment he offered last year. Yes, it's an amendment that he offered last year, and it's an amendment that blew up bipartisan support for this bill last year.

And it's an amendment, by the way, with one very toxic addition from last year—twisting the knife, so to speak—adding the Dream Act children to the bill's provisions. Unbelievable that that would be added in this version of the bill.

Let me just say that what the King amendment would prohibit is what every law enforcement agency in this country must do and does with regularity: making the most effective use of limited resources.

No law enforcement agency in the land can go after every violation. Each law enforcement agency must prioritize the resources and go after the ones who would do us the most harm. Can we imagine that the Department of Homeland Security would not do that? In fact, we would rightly condemn them if they did not do that.

One of the documents that the King amendment would require Immigration and Customs Enforcement to ignore states, and I'm quoting:

Aliens who pose a danger to national security or a risk to public safety are priority one for removal.

That's what the gentleman wants the agency to ignore. In a world with limited resources, it's dangerous, it's irresponsible, it's totally unrealistic not to prioritize the detention and the deportation of people who pose a threat to public safety and national security. And to do it in a demagogic fashion, saying, if you prioritize criminals, if your priority is dangerous people, then, well, you must be giving amnesty to everyone else, it's absurd. It's absurd. It may have a certain appeal on the talk shows, but it is unworthy of this body.

Why would we want ICE to spend as much time and energy going after innocent kids in college who were brought to this country by their parents as it spends going after known dangerous criminals?

Why would we want ICE to focus on the detention and the deportation of

the spouses of U.S. citizens serving in our military rather than on people who pose a threat to national security?

Colleagues know there is no answer to these questions that doesn't point in the direction of a resounding rejection of this extreme and destructive amendment. And I beg my colleagues to vote "no."

I yield back the balance of my time. Ms. JACKSON LEE. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE. I have a number of good friends on the floor, Madam Chair. My good friend, Mr. KING, serves with me on the Judiciary Committee, good friend, Mr. PRICE, who is the ranking member, has just given an eloquent exposé of the contents of Mr. KING's amendment. And I've worked with Judge CARTER, Congressman CARTER, Chairman CARTER, as we look to ensuring the security of the border and protecting the homeland.

I think it is important, first of all, that we should thank ICE officers across America because most ICE officers, in spite of the judicial decision that Mr. KING offers, have followed the executive order or the directions of their Director, Mr. Morton, who is an established public servant and law enforcement officer.

□ 2350

His credentials are without question. The Judiciary Committee has heard from Mr. Morton on several occasions to articulate the premise of the provisions that are being attacked in this amendment. Each time he has been able to document the value of what this prosecutorial discretion series of orders represents. In fact, Mr. Morton went out on the road. He came to Houston, Texas, and met at our immigration services office to explain to an array of community service persons what this actually meant.

There was no offering of amnesty. There was no utilization of that language. There was no suggestion that this would be an open-door policy. This was a suggestion that thoughtful ICE agents, law enforcement officers, entrusted to uphold the law, would have the authority to use prosecutorial discretion so that, as my colleague from North Carolina said, we would go after the terrorists, go after those who are here to do us harm, but allow hardworking families to stay together.

In the remarks of my good friend from Iowa, he does not make mention of the fact that the Obama administration has deported more individuals than any administration preceding it. Many of us have advocated against that. But what we did advocate for is a fair assessment of how you make that determination.

Now, maybe my good friend and the friends on the floor are not aware that we're under sequester, that we're operating under a budget line that is not even a trillion dollars. It's \$970-plus bil-

lion. That's way below what I'd like to see to fund this government that we have. If that is the question, then why would my good friend, Mr. KING, suggest that we are not doing our job?

So we want to split up hardworking families and fathers who are supporting their families because it may be an overstay or they came in undocumented? But most of all, the pains of the eons and eons of young people that have come into my office that are in the academic institutions of Houston, or Texas, who want to stay here and contribute to America's dream—the Dream children—and we're now telling them, after receiving a prosecutorial deferral, using prosecutorial discretion, a case-by-case determination that there's no credible criminal background, nothing they have done wrong, and by that decision, that simple, even-handed decision, that nothing has been done wrong by them and they're allowed to stay.

I just want to know if my friend will support me on comprehensive immigration reform. Then we'll be able to get it fixed. And maybe he will answer that. But I will ask my colleagues to please look at this as a law enforcement tool. This is not willy-nilly. This has been a thoughtful process that ICE has articulated for its agents throughout the country for them to thoughtfully look at those individuals that would pose a danger. Deport them. But to those families who need to be united that are surviving and working and supporting four and five children and going to work and going to houses of worship, or those children that are in the sophomore year or third year or graduating or graduate school, or the mother who came and fell on the ground in my office prostrate and crying when it was acknowledged that her graduate school daughter could stay here and finish her degree. It was through no fault of her own. She had come here to the United States not knowing that she did not have status.

So I'm hoping, like Mr. PRICE, that we will not have a divisive amendment. And I'm praying that my good friend will join me on comprehensive immigration reform, Madam Chair, and that he will withdraw this amendment.

I yield back the balance of my time. Mr. BARLETTA. I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. BARLETTA. I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Pennsylvania for yielding.

I appreciate the opportunity to respond to some of the statements that were made here, Madam Chair. I'll just go through some of the things that I heard from the gentleman: that this amendment is a poison pill; that it's very toxic; that it's twisting the knife; that it's unbelievable; that it's a demagogic fashion; that it's talk show appeal.

I would point out to the body that none of that has any substance. And the real substance of this is that we all stood here on the floor of this House of Representatives and raised our hand and took an oath to uphold the Constitution of the United States of America. We saw that happen today with the new Member right down here.

I take that seriously. I bring my Bible in and I swear on that Bible. And I carry a Constitution in my jacket pocket every single day, and I read it many of those days. But I adhere to that, as we all take the oath to do so. And if we have Members of this Congress that don't know the difference between article I and article II, or Members of this Congress that conflate article I and article II, or Members of this Congress that can somehow excuse a President who has crossed a line that he has himself drawn not just with his oath of office that I referenced earlier, but with a statement to the high school not very far outside of where we are right now on March 28, 2011, when he said:

I know you want me to pass the DREAM Act by executive order, but I don't have the authority to do that. That's Congress' authority. I am the President. Congress writes the laws, the executive branch enforces the laws, and the Judiciary Branch rules on the language and the constitutionality of it.

The President was right. He's a former adjunct professor of constitutional law at the University of Chicago. And even though I disagree with him quite often, that time he was right. But about a year later, he issued this order that his DREAM Act Light, that is an executive act that defied his own definition of the limitations of article II, the executive branch, and he assumed the powers and the authority of article I, the legislative branch.

Now, how can we take an oath to uphold this Constitution and excuse that kind of behavior? Because whether or not we approve of the policy, let's have the debate on the policy here, where it belongs. Let's not hand this over to a President who has usurped constitutional authority.

Our Founding Fathers envisioned this tension, this conflict, but they never envisioned that a United States Congress, House or Senate, would allow the President to usurp our constitutional authority. They envisioned that each body would aggressively defend the authority that we have within the Constitution.

This amendment that I have simply says we're not going to use taxpayers' dollars to defend this unconstitutional act on the part of the President of the United States. I've taken all the due diligence I can. I called a meeting. We initiated the litigation. We're moving it through the court system. But we can never catch up through the litigation process the things that the President has usurped that are the legislative authority that we have. That's the question that is here.

Whatever your position is on the DREAM Act Light and the Morton

memos and all of the things that seem to be coming out of the Gangs of 8 in the House or Senate, we have an oath to uphold the Constitution. That's the vote here, Madam Chair.

Mr. BARLETTA. I yield back the balance of my time.

Mr. GUTIERREZ. I move to strike the last word.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. GUTIERREZ. First of all, this has nothing to do with the Constitution of the United States. The fact is that the Congress of the United States has passed laws granting the President of the United States this executive authority. He has it by statute and by law. As a matter of fact, many of you might remember that in 1999, Congressman LAMAR SMITH and others wrote to then-President Clinton asking him to use his discretionary power more often.

In other words, I'm sorry to say to the gentleman, Mr. KING, but I think the gentleman from Texas is an authority on this issue, as he has chaired the Judiciary Committee, and the gentleman from Texas knows best. He signed that letter. And it was bipartisan. So this has nothing to do with the Constitution of the United States, not to kid ourselves.

Now, if we want to deal fundamentally with if this is good or bad, we can deal with that also. The fact is that this House passed the DREAM Act 216-208—that is a fact—in the fall of 2010, and 55 Senators stood up for the DREAM Act in the Senate.

□ 0000

The fact is that a majority of Senators have already voted in favor of it, and a majority of the Members of this House.

Now, what I don't find in the Constitution is where it says that a majority of Senators shouldn't prevail. We all know that. It should be just simply 51 out of 100, but that's not the way the Senate works. But that's not in the Constitution of the United States.

So what the President is really doing in his executive order is allowing. And I just want people to understand that we're also here for justice and for fairness. It is only fair and just that young men and women—who are no different than my daughters, than your daughters. They are just as American as they are. They speak this language. This is the country that they love. It is the only country that they know. And we're waiting for the paperwork to catch up to those Americans—that's what they are.

They came out by the hundreds of thousands. In Chicago, there were 12,000 in line. They came up with their moms and their dads and they were crying for joy because they had an opportunity to go to school, to become educated, and to contribute back to this Nation—children. We should not hold children responsible for the actions of adults and of their parents. We

should give them an opportunity, and that is what this executive order has done.

They go to school with your children. They sit down in the same churches with you and pray on Sunday. They play on the same playground. They're an integral part of the communities in which we live. In America, when they hear them speak, they hear the voices of young Americans. And one day we will pass the DREAM Act, and we will not need an executive order.

Things are getting better, Mr. KING, here. November 6, everybody said stop picking winners and losers; let's fix this immigration issue. And Republicans and Democrats are working together to find a solution. Now is not the time to divide this House and the Senate when it is looking.

We can't talk decently about Benghazi or the IRS or anything—ObamaCare or the budget or guns. But there is one thing. I mean, when you have a Vice Presidential candidate, our colleague, PAUL RYAN, come to Chicago and speak, when you have Congressman CARTER come to San Antonio with me and speak, things are changing. Let's respect that. Let's respect the love and the intensity of caring about fixing our broken immigration system that has been expressed.

I was so delighted, I want to say to the gentleman from Iowa, when your majority leader, Mr. CANTOR, gave a speech and said I'm not only for the DREAM Act, I'm for a pathway to citizenship for the dreamer. I said great. I didn't question his motives. I said great. How can I help you?

Let's help him, the majority leader, and others—Democrats and Republicans alike—who have said, you know what, let's fix our broken immigration system. We're tired of it dividing families.

I want to say I've had them come into my office, American citizen soldiers—going and fighting on the front-line so that you have the right to speak here and protect it—and they have their wives being deported. We should have this discretion so their wives aren't deported. That's only fair and right.

Four million American citizen children—Mr. KING, 4 million American citizen children have undocumented parents. We should not separate them. We should have discretion to keep those families together.

Let's defeat this motion. It has no place in the House of Representatives.

I yield back the balance of my time.

Mr. BEN RAY LUJAN of New Mexico. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BEN RAY LUJAN of New Mexico. Madam Chair, I know everyone's tired. I just finished getting off the floor, offering an amendment, and a colloquy with my colleague, the dear chairman, Mr. CARTER, as well. I went back to my small place to make a sandwich, and I

saw this amendment come on the floor. And I had to hurry back.

Everybody's tired because it's so late, Madam Chair. Here we are, it's midnight. Under the dark of night, here we have an amendment that I hope the talk shows are paying attention and watching tonight, and I hope that dreamers across America are watching their televisions. Because, if not, they're going to be reading about this in the morning.

At a time when, as Congressman GUTIERREZ described, we're coming together as a Congress and as a Nation to try to get comprehensive immigration reform adopted; at a time when we should be concentrating our efforts on going after those criminals that are doing bad, bad things; when the Chamber of Commerce of the United States and faith-based organizations, churches across America on Sundays and Saturdays and even at Bible study on Wednesdays are talking about the importance of respecting our friends and our neighbors, especially those young people, these dreamers—these young men and women who serve in our military who are undocumented here in the United States, to look after them and to pray for them and encourage the Congress to come together, this amendment is a slap in their face, Madam Chair.

The King amendment would make communities less safe by discouraging crime victims from coming forward to police. The Morton memo on victims and witnesses encourages the agency not to initiate removal proceedings against an immediate victim or witness to a crime. This is needed to ensure that victims of domestic violence and other crimes come forward to seek protection. It is needed to help effective prosecutions of criminals.

The memo supports the U visa and the Violence Against Women Act's self-petition process that came under fire during the recent Violence Against Women debate, notwithstanding the strong law enforcement support for both these protections.

Let me see if I can make that simpler. An undocumented woman who is here in the United States who is a victim of rape, who comes forward to say who raped her, goes before the law enforcement without the memos in place and these protections, potentially, she is to be detained and deported because she was raped and she came forward with the courage to be able to try to get that individual who perpetrated that crime.

It's sad, Madam Chair, that here we are yet again at a time when Democrats and Republicans have come together to be able to advocate for the importance of taking care of our dreamers, when this passed this House and so many of our Senators came forward, when the leaders of our respective parties in this very House of Representatives that we're honored to be a part of have come together and advocated for this change. We're having

this debate after midnight here in Washington, D.C., tonight. It's sad.

And the Morton memos are hardly new. Prosecutorial discretion memos in the immigration context have existed since 1976. Congressman GUTIERREZ eloquently described the letters that were sent by Congressman Hyde and Congressman LAMAR SMITH asking for the Executive to use its discretionary authority.

Madam Chair, it's a sad, sad day that we're here tonight—under the dark of night—where I hope dreamers across America are paying attention. Because we need them tomorrow to light up those phones and make sure that they're talking to their friends, their families, to their deacons, to their priests, to their faith-based leaders and ask them to please stand up and encourage Members of Congress, when this comes up for a vote tomorrow morning, to call Members of Congress and tell them to reject this amendment.

With that, I yield back the balance of my time.

Mr. ELLISON. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Madam Chair, I would just like to point out that I do specifically challenge the gentleman from Iowa's claim that the President's deferred action program is unconstitutional.

The Supreme Court did rule in *Arizona v. United States* that the Federal Government, under the supremacy clause, does have the authority to set immigration policy over and above that of any State. Inherent in the authority to enforce the immigration laws is the right to be able to prioritize how that policy will be prioritized and how that policy will be executed.

Now, the fact is that the executive branch has the authority, has the right to decide that they will take action on some cases and will take action on others in a prioritized fashion. That is the very heart and soul of what DACA represents.

So for the gentleman to argue that there is some constitutional infirmity with deferred action is wrong. He's wrong on the law. He's wrong on his constitutional argument.

The fact is that it's important for the people of the United States to hear that these specious, weak arguments about lack of constitutionality are incorrect.

I yield to the gentleman from Illinois.

□ 0010

Mr. GUTIERREZ. Madam Chair, I just want to make clear something about DACA. I filled out many applications, as I know my colleague from Minnesota has. They pay a fee. They go through an extensive background check. They have to give up their fingerprints and go through an extensive

background check if they find they're denied DACA. So don't think it's just show up.

Now they're given a work permit for 2 years, and they get to work with that work permit. They don't have any right to health care or to any means-tested program, nothing but the right to work and not to be deported from the United States of America, and they're contributing to this country already.

So I just want to make that clear. Why would we want to spend the money of the Federal Government chasing down and hunting down and deporting people who came here as children who do not even know the country that they came from? Again, I want to reiterate: they are American in everything but a piece of paper. And the Congress of the United States should be working to try to see how it is we bring them in and integrate them more fully.

I want to express to the gentleman from Iowa something very, very clearly. I want to use every dollar and every resource to go after every gang-banger, every drug dealer, every person that is a criminal doing harm in the United States. But these are children who are doing no one harm. They came as children, they are innocent, and should be treated as such.

We want to prioritize our enforcement. We want to prioritize our enforcement so that we go after people who will do American citizens ill. They don't. They're children. They're wonderful, young people. And I would suggest to everybody here, meet one, talk to one. And what you're going to see is, the same values that you inculcate in your own children are the values that have been invested in these young men and women. We should give them a chance.

Many of them are being denied as they go through the process. But it is a process that says we should use prosecutorial discretion. It is law. Everybody in this body knows, and you don't have to be a student of the Constitution of the United States to know, that the President has plenary powers to pardon anybody at any time for any reason. Just ask Gerald Ford about Richard Nixon. That is a fact.

The President of the United States in this case is taking innocent young men and women who have been thoroughly checked in their background and said, Do you know what? I want to go after the mean, ugly people who want to do us harm, and I want to set aside these young men and women. We voted for it—216 to 208—and it was a proud day in the Congress of the United States.

And I just want to say one more time to the gentleman from Iowa, there are Members of your side of the aisle who I know—

Mr. KING of Iowa. Would the gentleman yield?

Mr. GUTIERREZ. No, I won't.

Who are going to continue to work with us in this Congress of the United

States to get this finished. Please let us do that work.

I yield back the balance of my time. The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KING of Iowa. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used in contravention of any of the following:

(1) The Fifth and Fourteenth Amendments to the Constitution of the United States.

(2) Title VI of the Civil Rights Act of 1964 (relating to nondiscrimination in federally assisted programs).

(3) Section 809(c)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (relating to prohibition of discrimination).

(4) Section 210401(a) of the Violent Crime and Law Enforcement Act of 1994 (relating to unlawful police pattern or practice).

Mr. ELLISON (during the reading). Madam Chairman, I ask unanimous consent to have the amendment considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. Madam Speaker, before the body is a simple amendment of leaders of four separate caucuses, Members of this body—the Congressional Progressive Caucus, the Congressional Black Caucus, the Congressional Spanish Caucus, and the Congressional Asian Pacific Islander Caucus—who join together to support a simple amendment to this important legislation.

Now, Madam Speaker, it is important to point out that the hardworking staff employees of DHS deserve respect and honor. They keep our country safe. We appreciate that. We appreciate all law enforcement, especially when they put their lives on the line for our safety. No one questions the public service and the professionalism demonstrated by security officials every day.

However, occasionally reports of racial and ethnic and religious profiling do occur. We see them in the news and we hear about them from civil liberties organizations. Too many Americans who are simply going about their business have been discriminated against

solely because of race, color, ethnicity. This is wrong, and it is well-rooted in our society that this is not an acceptable value or practice, and it's not what America is all about.

This amendment we are offering today would simply help to put an end to it. Our amendment—straightforward—simply cites the Constitution and existing antidiscrimination laws to affirm that no funds made available by this law can be used to engage in racial, ethnic, or religious profiling. This is not a controversial amendment, nor is it partisan. In fact, it was a former Bush administration official who said that religious, ethnic, and racial stereotyping is not good policing.

Now, we simply ask that this amendment receive the support of the body and that we, again, affirm our Nation believes in equality under the law, and that it is behavior that should inform law enforcement decisions, not simply identity.

I ask for a "yes" vote, and yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Madam Chairman, we accept this amendment, and I yield the balance of my time to my colleague, Mr. PRICE.

Mr. PRICE of North Carolina. Madam Chairman, I thank the gentleman for yielding, and I also urge acceptance of the amendment.

Mr. CARTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON). The amendment was agreed to.

AMENDMENT OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

SEC. ____ . None of the funds made available by this Act may be used for any activity by Transportation Security Administration Transportation Security Officers outside an airport as defined in section 47102 of title 49, United States Code.

The Acting CHAIR. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Madam Chairman, as I have stated earlier during the floor debate, TSA transportation security officers are not Federal law enforcement officers. They do not have any Federal law enforcement training, nor are they eligible to receive Federal law enforcement benefits.

When Congress created the TSA in 2001, we defined TSA screeners in law as Federal security screeners. Their role as defined by the Aviation and Transportation Security Act is to screen passengers and luggage at airports across the country.

However, beginning in 2005, TSA administratively reclassified TSA secu-

rity screeners as transportation security officers and began to upgrade their uniforms to reflect those of Federal law enforcement officers with metal officer badges.

□ 0020

Time magazine contributor Amanda Ripley succinctly summed up the transition by stating that TSA was "outfitting frontline employees with new gold badges and royal blue shirts as part of a broader effort to improve their image and make people, to put it bluntly, hate them less."

The problem is that TSA officers do not have any Federal law enforcement training to reflect their officer title or appearance.

Law enforcement personnel for air transportation security are clearly defined in section 44903 of title 49, U.S. Code. U.S. Code states that "law enforcement" means individuals who are authorized to carry and use firearms, vested with the power of arrest, and are identifiable by distinctive marks of authority.

TSA officers do not meet these basic requirements of our law. Their training consists of 2 weeks in a classroom to learn how to screen passengers and bags, followed by 2 to 4 weeks of on-the-job training.

That is why it is troubling to me and many of my constituents that TSA is allowing their officers to take part in DHS VIPR team operations outside our airports. These operations are currently taking place on our Nation's highways, in our rail stations, ferry terminals, bus stations, and other mass transit facilities across the country. Adopting this amendment would end this practice.

The American public should be outraged that our national security strategy to prevent a horrific attack at a mass transit facility includes randomly sending people with no Federal law enforcement authority to randomly select and search citizens without any actionable intelligence. I strongly believe that Congress has an obligation to ensure that the title and appearance of Federal employees properly reflect their training and background.

There are already enough well-documented concerns questioning whether these individuals can even carry out the basic functions of their jobs within our airports. Here is an example:

Last year, a TSA officer whistleblower in Nashville produced documents showing that TSA officers in charge of screening a passenger's bags were receiving failing grades at being able to identify potential threats and were not receiving remedial training.

Another example is a GAO report, which I have with me right here, published in January, which shows that the TSA is failing to deploy passenger-screening canine teams to airports and terminals with the highest risk as determined by the agency's high-risk list. Furthermore, the report lays out concerns that the current protocols in

place "are not appropriate for a suicide bombing attempt requiring an immediate law enforcement response."

If that's not concerning enough, there is a DHS Office of the Inspector General report released just last month on TSA's Behavior Detection Officers—and Mr. THOMPSON of Mississippi referenced this earlier—which only consists of TSA's Transportation Security Officers, and it raised concerns about their performance:

TSA senior airport officials at airports contacted raised concerns regarding the selection, allocation and performance of the BDOs.

TSA does not use an evaluation period to determine whether new BDOs can effectively perform behavior detection.

For these reasons, we should end this program and restrict them to the airports.

I yield back the balance of my time.

Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. I rise in opposition, reluctantly, to the gentlewoman's amendment.

This is very similar to the amendment that was raised earlier this evening. I expressed my opinion then, and I don't change my opinion. I have a great deal of concern about the issues that have been raised by my good friend from Tennessee—in fact, from Williamson County, Tennessee, and I'm from Williamson County, Texas.

I am going to recommend to my ranking member that we look into these allegations of misuse of law enforcement, or of the presumption of law enforcement. We are going to talk to Mr. Pistole to try to get to the bottom of this stuff, but I don't think what the gentlelady is trying to accomplish with this amendment is appropriate at this time without our holding hearings and discussing some of these issues and trying to examine the statutes and make sure that they are operating within the statutes.

So for that reason, I think this is not the time, and I am going to have to oppose this amendment.

I yield to my colleague, the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

I would echo his sentiments on this amendment. I understand that it's well-intentioned and that there may very well be some specific issues that demand attention, but this is largely the same amendment that we debated earlier this evening, which was voted down by a considerable margin, and I believe we should do that again.

Mr. CARTER. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. BARLETTA

Mr. BARLETTA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available under the heading "Departmental Management and Operations—Departmental Operations—Office of the Secretary and Executive Management" may be used for official reception and representational expenses until the Secretary of Homeland Security complies with section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. BARLETTA. My amendment is simple.

The amendment would say that none of the funds from the Office of the Secretary may be used for official reception expenses until the Secretary of Homeland Security fully implements the biometric entry and exit data system.

A biometric exit system is already required by law. In 2004, Congress mandated the establishment of this system to track foreigners leaving our country. The 9/11 Commission recommended creating a biometric exit system as well. The creation of an effective exit system would keep our country safe because we would have a more effective way of tracking people who may pose a risk to our national security.

Oftentimes, people speak of the illegal immigration issue as involving the northern, southern, and coastal borders; but as Boston showed us plainly, it involves much more than that. Nearly half of the illegal immigrants currently in the United States did not cross a traditional border. Rather, they arrived here on a legitimate visa, saw the visa expire, and never returned home. The truth is, if your State is home to an international airport, you effectively live in a border State. We know that 40 percent of illegal immigrants are visa overstays; but since we do not have an effective way of tracking who leaves our country, that number may be different. This amendment would withhold funds from the Secretary's reception expenses until the biometric exit system is fully implemented.

I yield back the balance of my time. Mr. CARTER. I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. We will accept this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BARLETTA).

The amendment was agreed to.

Mr. CARTER. Before I make a motion, Madam Chairman, I would like to thank all of the employees of the House for being willing to extend the time tonight so that we could get those Members who have been waiting for 4 or 5 hours finished. I want to apologize for the inconvenience, but we appreciate the efficiency that it allowed us.

Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARLETTA) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2217) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2014, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The chair announces that the correct tally on rollcall vote number 205 was 146 ayes and 280 noes.

HOUR OF MEETING ON TODAY

Mr. CARTER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 622—An Act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 32 minutes a.m.), the House adjourned until today, Thursday, June 6, 2013, at 9 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same;

that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

JASON T. SMITH,
Eighth District of Missouri.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1701. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Relaxing Size and Grade Requirements on Valencia and Other Late Type Oranges [Doc. No.: AMS-FV-13-0009; FV13-905-2 IR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1702. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sweet Cherries Grown in Designated Counties in Washington; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0026; FV12-923-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1703. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0051; FV12-966-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1704. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Decreases Assessment Rate [Doc. No.: AMS-FV-12-0027; FV12-922-1 FIR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1705. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Increased Assessment Rate [Doc. No.: AMS-FV-12-0045; FV12-905-1 FR] received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1706. A letter from the Executive Analyst, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1707. A letter from the Associate Director of Financial Reporting and Accounting Policy, Federal Home Loan Bank of Des Moines, transmitting the 2012 management report and statements on system of internal controls of the Federal Home Loan Bank of Des Moines, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1708. A letter from the Acting Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period October 1, 2012 through March 31,