Let us honor our responsibilities and stop standing in the way of protecting the American people. It is about the security of the American people versus the philosophy that you have going over there, which is perfectly to be respected in another piece of legislation. Let's have that debate separate from protecting.

It is about time for us to come together to get the job done. The Senate did it. We can, Please support Congresswoman Roybal-Allard's Congresswoman Lowey's motion to instruct the conferees to accept the Senate bill.

The SPEAKER pro tempore. The Chair reminds Members to please direct their remarks to the Chair and not to other Members.

Mr. CARTER of Texas. Madam Speaker, how much time is remaining? The SPEAKER pro tempore. The gen-

tleman from Texas has 7½ minutes remaining

Mr. CARTER of Texas. Does the gentlewoman have other speakers?

Ms. ROYBAL-ALLARD. No. I am prepared to close.

Mr. CARTER of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have had a lot of schoolteachers shake their fingers at me and tell me things. And most of the times, I have deserved it. I have been looked right at and told I was wrong before. Many of those times, I deserved

But I want to make something really clear. This is not a debate on immigration. This is not a debate on whether or not we are going to fund the Department. We are funding the Department for the next 3 weeks, using the same manner that we funded this Department for years at a time when our colleagues on the other side of the aisle were in charge of this House.

The CR was one of the most popular vehicles that they used in funding our country during the period of time they ran this place. So we are not using anything that we don't all use. It funds the Department. It keeps the Border Patrol okay and keeps them paid.

But it also allows us to do something that—by the way, the gentleman is absolutely right. In what we would call recent history, going to conference was so rare—my mother used to say "rare as hen's teeth"-when they ran this place.

So we are at least doing something that was designed to be done, and we are going to conference. When you go to conference and you have two sides of the story, you are supposed to go in there and discuss the two sides of the story. What they are asking to instruct here is to just take what the Senate sent us.

Well, to some extent, I guess we should reward the Senate. This is about the first thing they have sent us in recent history where we have actually had a bipartisan vote. In fact, last year we just didn't have any votes at all. In fact, you wondered if they even knew how.

And so here we are. We are going to conference and doing it the way it is supposed to be done. All parties will be able to participate, and maybe we will resolve our differences and maybe we won't, but the American people also ask us to try to work in a bipartisan manner. And here is our opportunity.

The Homeland Security Department will be funded. They will have a paycheck. We will address this issue in conference, and hopefully we will come to a resolution the way we are designed to with bipartisan participation.

This is not about immigration. And after having spent 4 years with some of my colleagues on the other side of the aisle and some of the colleagues over here working on immigration, I am not anti-immigration policy. This is antistepping on the feet of the Framers of the Constitution and walking all over that piece of paper.

And that is why we are here to fight today. We are fighting for the rights of this legislative body as we address the Executive. And we are fighting to fund the Department.

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

Ms. ROYBAL-ALLARD. Madam Speaker, let me just say that regardless of what the other side of the aisle will have us believe, the Secretary of Homeland Security and the men and women who put their lives on the front line every day for us and to protect this country tell us that a continuing resolution jeopardizes their ability to fully and effectively protect this coun-

And so I urge my colleagues to do the responsible thing and to vote for this motion to instruct conferees to bring back a clean, full-year, bipartisan funding bill that will enable the Department of Homeland Security to fully and effectively protect our Nation and the American people.

I vield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

ROYBAL-ALLARD. Madam Ms. Speaker, on that I demand the yeas and navs.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

FURTHER CONTINUING APPRO-PRIATIONS RESOLUTION, 2015

The SPEAKER pro tempore, Pursuant to clause 1(c) of rule XIX, further consideration of the joint resolution

(H.J. Res. 35) making further continuing appropriations for fiscal year 2015, and for other purposes, will now resume.

The Clerk read the title of the joint resolution.

MOTION TO RECOMMIT

ROYBAL-ALLARD. Ma.da.m Ms. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the joint resolution?

Ms. ROYBAL-ALLARD, Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recom-

The Clerk read as follows:

Ms Roybal-Allard moves to recommit the joint resolution H.J. Res. 35 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 1, line 3, strike "That the Continuing Appropriations Resolution, 2015" and insert the following:
SECTION 1. The Continuing Appropriations

Resolution, 2015

Page 1, lines 5 and 6, strike "March 19. 2015" and insert "September 30, 2015".

Add at the end the following new section: SEC. 2. The Continuing Appropriations Resolution, 2015 is further amended by inserting at the end (before the short title) the following:

Sec. 152. Notwithstanding any other provision of this joint resolution, funds and other authorities made available for accounts of the Department of Homeland Security shall be available to the extent provided in, under the authority and conditions provided in, and at a rate for operations not to exceed the rate permitted by, H.R. 861, as introduced in the House of Representatives on February 11, 2015."

Ms. ROYBAL-ALLARD (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve a point of order on the gentlewoman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

□ 1615

ROYBAL-ALLARD. Ms. Madam Speaker, this motion to recommit will not kill the resolution or send it back to committee. If adopted, the continuing resolution will immediately proceed to final passage, as amended.

Adoption of this motion to recommit will change the date of the continuing resolution to September 30, 2015, and will incorporate by reference all the funding levels and provisions of H.R. 861, the clean, bipartisan, full-year funding bill for the Department of Homeland Security.

Once again, I ask my colleagues: What is gained by further putting off a resolution to this crisis of Republicans' own making?

Circumstances will be no different 3 weeks from now. We will almost certainly not have any final resolution from the judicial branch of the President's executive action. Nothing can be gained by further delay, but much can be lost.

These are the warnings of the Secretary of Homeland Security who has pointed out, over and over again, that the Department of Homeland Security is not doing just fine under the current continuing resolution and that there are significant consequences if we force the Department to keep living with the uncertainty of a continuing resolution.

As Secretary Johnson has said, the American people are counting on us, and the men and women of the Department of Homeland Security, so many of whom risk their health and safety every single day to keep us safe, are counting on us, too.

What message are we sending them when we continue to leave them in uncertainty over whether they will get paid 3 weeks from now? What message do we send them when we take their service for granted by using this funding bill as a pawn in a political game?

I urge my colleagues to vote for this motion to recommit so we can put an end to this nonsense and allow the men and women of the Department of Homeland Security to go about the business of protecting this country knowing that we are fully behind them.

Madam Speaker, I yield the remainder of my time to the gentlewoman from New York (Mrs. Lowey), the distinguished ranking member of the Appropriations Committee.

Mrs. LOWEY. Madam Speaker, I want to thank the ranking member of the Homeland Security Subcommittee for yielding me the time.

I strongly support the Roybal-Allard motion, which gives the House an opportunity to vote for a full-year Homeland Security funding bill without any controversial immigration policy riders.

Almost 4:30 Friday afternoon, we have heard lectures all day about the Constitution. We have heard lectures all day about the process. I just want to remind my colleagues on the other side of the aisle—and especially those who may be new to the appropriations process—we can have a debate about the Constitution any time you want. We even can come up with amendments to the Constitution.

Right now, we are talking about Homeland Security keeping our country safe; and, again, because we have had so many debates about authority and who is doing what and who is obeying the Constitution, for me, it is a pleasure to work with my colleagues on the other side of the aisle on appropriations.

We passed the CR/Omnibus because, back in December, we couldn't agree to include the Homeland Security bill as part of an omnibus. Just to remind us again about process, Democrats on the Appropriations Committee and Repub-

licans on the Appropriations Committee debated those bills.

We came together in a bipartisan way here in the House, and then we worked with the Senate to make sure we worked together in a bipartisan way. We had a good Homeland Security Appropriations bill. It may not have been perfect, but it was a bipartisan bill back in December. Here it is, almost March.

I just want to conclude by making it very clear, we cannot hold hostage to this bill and delay the Homeland Security bill anymore. I urge my colleagues to vote for full-year funding.

POINT OF ORDER

Mr. ROGERS of Kentucky. Madam Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ROGERS of Kentucky. Madam Speaker, I make a point of order against the motion because it is in violation of section 302(f) of the Congressional Budget Act of 1974.

The adoption of this motion would cause a breach of the 302(a) allocation of budget authority provided by the Committee on the Budget and, therefore, is not permitted under section 302(f) of the Act.

I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does any Member wish to be heard on this point of order?

Ms. ROYBAL-ALLARD. Madam Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Ms. ROYBAL-ALLARD. Madam Speaker, the gentleman asserts that the motion exceeds the subcommittee's allocation. However, the Congressional Budget Office cost estimate noted "our estimate is the same as H.R. 240 as introduced."

H.R. 240 was the bill introduced by the chairman of the subcommittee, Judge Carter, and sent to the Senate.

If I understand the gentleman correctly, he is now asserting that the bill that he moved through this Chamber violated the rules of the House. I urge him to withdraw his point of order and allow for the House to vote on a clean, full-year bill for the Department of Homeland Security.

Absent that, I urge the presiding officer to overrule the gentleman's point of order.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from Kentucky makes a point of order that the amendment proposed by the instructions in the motion to recommit offered by the gentlewoman from California violates section 302(f) of the Congressional Budget Act of 1974.

Section 302(f) of the Budget Act precludes consideration of an amendment providing new budget authority if the adoption of the amendment and enactment of the bill or joint resolution, as amended, would cause the pertinent allocation of new budget authority under section 302(a) of the Act to be exceeded.

The Chair is authoritatively guided by an estimate of the chair of the Committee on the Budget under clause 4 of rule XXIX. That estimate shows that the amendment proposed in the motion to recommit provides new budget authority for fiscal year 2015 in excess of the applicable section 302(a) allocation.

The Chair therefore holds that the amendment violates section 302(f) of the Budget Act. Accordingly, the point of order is sustained and the motion to recommit is not in order.

The question is on the passage of the joint resolution.

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

Mrs. LOWEY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of House Joint Resolution 35 will be followed by a 5-minute vote on adoption of the motion to instruct on H.R. 240.

The vote was taken by electronic device, and there were—yeas 203, nays 224, not voting 6, as follows:

[Roll No. 104] YEAS—203

Abraham Flores Aderholt Fortenberry Allen Foxx Amodei Frelinghuysen Ashford Garrett Barr Gibbs Benishek Gibson Bilirakis Goodlatte Bishop (MI) Gowdy Graham Bishop (UT) Black Granger Graves (GA) Blum Boehner Graves (LA) Bost. Graves (MO) Boustany Grothman Guinta Brady (TX) Brooks (IN) Guthrie Brownley (CA) Hanna Buchanan Hardy Buck Harper Bucshon Harris Hartzler Burgess Heck (NV) Bustos Byrne Hensarling Calvert Herrera Beutler Carter (GA) Hill Holding Carter (TX) Chabot Huizenga (MI) Chaffetz Hultgren Coffman Hurd (TX) Cole Issa. Collins (GA) Jenkins (KS) Collins (NY) Jenkins (WV) Comstock Johnson (OH) Conaway Jolly Connolly Joyce Cook Katko Kelly (PA) Costello (PA) King (NY) Cramer Kinzinger (IL) Crawford Crenshaw Kline Culberson Knight Curbelo (FL) LaMalfa Davis, Rodney Lance Delaney Latta LoBiondo Denham Dent Love Diaz-Balart Lucas Dold Luetkemeyer Duncan (SC) Lujan Grisham Duncan (TN) Ellmers (NC) (NM) Lummis MacArthur Emmer (MN)

Fitzpatrick

Fleischmann

Marchant

Marino

Rodgers McSally Meehan Messer Mica. Miller (FL) Miller (MI) Moolenaar Mooney (WV) Mullin Murphy (FL) Murphy (PA) Newhouse Noem Nugent Nunes Palazzo Palmer Paulsen Peters Pittenger Pitts Poliquin Pompeo Posey Price, Tom Reed Reichert Renacci Ribble Rigel1 Roby Rogers (AL) Rogers (KY) Rohrabacher Rokita Ros-Lehtinen Roskam Ross Rothfus Rouzer Royce Ruiz Russell Ryan (WI)

Scalise

Schock

Schweikert.

Scott, Austin

McCarthy

McClintock

McHenry

McKinley

McMorris

McCaul

CONGRESSIONAL RECORD—HOUSE

Scott, David Sensenbrenner Sessions Shimkus Shuster Trott Simpson Sinema Smith (MO) Smith (NE) Smith (NJ) Stefanik Stewart Stivers Stutzman Webster (FL)

Thompson (PA) Thornberry Tiberi Tipton Upton Valadao Wagner Walberg Walden Walorski Walters, Mimi Weber (TX)

Westerman Westmoreland Whitfield Wilson (SC) Womack Woodall Yoho Young (AK) Young (IA) Young (IN) Zeldin Zinke

NAYS-224

Adams Fudge Gabbard Aguilar Amash Gallego Garamendi Babin Barletta Gohmert Barton Gosar Grayson Bass Beatty Green, Al Becerra Green, Gene Bera. Griffith Grijalva Bever Bishop (GA) Gutiérrez Blackburn Hahn Blumenauer Hastings Heck (WA) Bonamici Hice, Jody B. Boyle, Brendan Higgins Brady (PA) Himes Brat Honda Bridenstine Hoyer Brooks (AL) Hudson Brown (FL) Huelskamp Butterfield Huffman CappsHunter Capuano Hurt (VA) Cárdenas Israel Carney Jackson Lee Carson (IN) Jeffries Cartwright Johnson (GA) Castor (FL) Johnson, E. B. Castro (TX) Johnson, Sam Chu. Judy Jones Jordan Cicilline Clark (MA) Kaptur Clarke (NY) Keating Clawson (FL) Kelly (IL) Clay Kennedy Cleaver Kildee Clyburn Kilmer Cohen Kind Conyers King (IA) Cooper Kirkpatrick Costa Kuster Courtney Labrador Crowley Lamborn Cuellar Langevin Cummings Larsen (WA) Davis (CA) Larson (CT) Davis, Danny Lawrence DeFazio Levin DeGette Lewis Lieu, Ted DeLauro DelBene Lipinski Loebsack DeSantis DeSaulnier Lofgren Loudermilk DesJarlais Deutch Lowenthal Dingell Lowey Luján, Ben Ray Doggett Doyle, Michael Duckworth Maloney Duffy Edwards Maloney, Sean Ellison Massie Engel Matsui McCollum Eshoo Esty Farenthold

Neal Neugebauer Nolan Norcross O'Rourke Olson Pallone Pascrell Payne Pearce Pelosi Perlmutter Perry Peterson Pingree Pocan Poe (TX) Polis Price (NC) Quigley Rangel Ratcliffe Rice (NY) Rice (SC) Richmond Roe (TN) Rooney (FL) Roybal-Allard Ruppersberger Rush Ryan (OH) Salmon Sánchez, Linda Sanchez, Loretta Sanford Sarbanes Schakowsky Schiff Schrader Scott (VA) Serrano Sewell (AL) Sherman Sires

Slaughter

Smith (TX)

Smith (WA)

Takai

Titus

Tonko

Torres

Tsongas

Vargas

Veasev

Velázquez

Visclosky

Wasserman

Wenstrup

Williams

Wittman

Yarmuth

Wilson (FL)

Walker

Walz

Vela

Van Hollen

Takano

Swalwell (CA)

Thompson (CA)

Thompson (MS)

Adams

Aguilar

Ashford

Bass

Bera

Bever

Bonamici

Bustos

Capps

Capuano

Cárdenas

Cicilline

Carney

Beatty

Becerra

McGovern Schultz Waters, Maxine McNerney Watson Coleman Meadows Welch

Meeks Meng Moore Moulton Mulvanev Nadler Napolitano

Farr

Fattah

Fincher

Fleming

Forbes

Foster

Frankel (FL)

Franks (AZ)

Hinojosa

(NM)

Carolyn

Lynch

Yoder NOT VOTING-Long Speier McDermott

□ 1713

Mr. SCHRADER, Mrs. LAWRENCE, and Messrs. CARSON of Indiana, SAM JOHNSON of Texas, and FINCHER changed their vote from "yea" "nav.

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. McDERMOTT. Madam Speaker, on rollcall vote 104, on passage related to H.J. Res. 35. had I been present. I would have voted "nav.

LEGISLATIVE PROGRAM

(Mr. McCARTHY asked and given permission to address the House for 1 minute.)

Mr. McCARTHY. Madam Speaker, Members are advised that additional votes are now possible later evening and maybe this weekend.

DEPARTMENT OF HOMELAND SE-APPROPRIATIONS CURITY 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, offered by the gentlewoman from California (Ms. Roy-BAL-ALLARD), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion. The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 201, nays 218, not voting 13, as follows:

[Roll No. 105]

YEAS-201

Clay Doyle, Michael Cleaver Duckworth Clyburn Edwards Coffman Cohen Ellison Engel Connolly Eshoo Convers Esty Cooper Bishop (GA) Farr Costa Blumenauer Fattah Costello (PA) Fitzpatrick Courtney Boyle, Brendan Foster Crowley Frankel (FL) Cuellar Brady (PA) Frelinghuysen Cummings Brown (FL) Fudge Davis (CA) Brownley (CA) Gabbard Davis, Danny Gallego DeFazio Garamendi DeGette Gibson Delaney Graham DeLauro Grayson Carson (IN) DelBene Green, Al Green, Gene Denham Cartwright Castor (FL) Dent Gutiérrez DeSaulnier Castro (TX) Hahn Deutch Chu, Judy Hanna Hastings Dingell Clark (MA) Doggett Heck (WA) Dold Clarke (NY) Higgins

Honda Hoyer Huffman Israel Jackson Lee Jeffries. Johnson (GA) Johnson, E. B. Jolly Kaptur Katko Keating Kelly (IL) Kennedy Kildee Kilmei Kind King (NY) Kinzinger (IL) Kirkpatrick Kuster Lance Langevin Larsen (WA) Larson (CT) Lawrence Levin Lewis Lieu, Ted Lipinski LoBiondo Loebsack Lofgren Lowenthal Lowey Lujan Grisham (NM) Luján, Ben Ray (NM) MacArthur

Abraham

Aderholt

Allen

Amash

Babin

Amodei

Barletta

Barton

Black

Blum

Boustany

Buchanan

Bucshon

Burgess

Byrne

Calvert

Chabot

Cole

Chaffetz

Comstock

Conaway

Cook

Cramer

Crawford

Crenshaw

Culberson

DeSantis

Duffy

Fincher

Fleming

Bost

Brat

Buck

Benishek

Bilirakis

Sánchez, Linda Maloney. Carolyn Т. Maloney, Sean Sanchez, Loretta Matsui Sarbanes McCollum Schakowsky McGovern Schiff McNerney Schrader McSally Scott (VA) Meehan Scott, David Meeks Serrano Meng Sewell (AL) Moore Sherman Moulton Sinema Murphy (FL) Sires Nadler Slaughter Napolitano Smith (WA) Neal Stefanik Nolan Swalwell (CA) Norcross Takai O'Rourke Takano Pallone Thompson (CA) Pascrell Thompson (MS) Paulsen Titus Pavne Tonko Pelosi Torres Perlmutter Tsongas Peters Van Hollen Peterson Vargas Pingree Veasey Pocan Vela. Polis Velázquez Price (NC) Visclosky Quigley Walz Rangel Rice (NY) Wasserman Schultz Richmond Waters, Maxine Roybal-Allard Ruiz Welch Ruppersberger Whitfield Wilson (FL) Rush Ryan (OH) Yarmuth

NAYS-218

Flores Forbes Fortenberry Foxx Franks (AZ) Garrett Gibbs Gohmert Goodlatte Gosar Gowdy Bishop (MI) Granger Graves (GA) Bishop (UT) Graves (LA) Blackburn Graves (MO) Griffith Grothman Guinta. Brady (TX) Guthrie Hardy Bridenstine Harper Brooks (AL) Harris Hartzler Heck (NV) Hensarling Herrera Beutler Hice, Jody B. Hill Carter (GA) Holding Carter (TX) Hudson Huelskamp Huizenga (MI) Hultgren Collins (GA) Hunter Hurd (TX) Collins (NY) Hurt (VA) Issa Jenkins (KS) Jenkins (WV) Johnson (OH) Johnson, Sam Jones Curbelo (FL) Jordan Davis, Rodney Joyce Kelly (PA) DesJarlais King (IA) Diaz-Balart Kline Knight Labrador LaMalfa Duncan (SC) Duncan (TN) Ellmers (NC) Latta Emmer (MN) Loudermilk Farenthold Love Lucas Fleischmann Luetkemeyer Lummis

Marchant Marino Massie McCarthy McCaul McClintock McHenry McKinley McMorris Rodgers Meadows Messer Mica Miller (FL) Miller (MI) Moolenaar Mooney (WV) Mullin Mulvaney Murphy (PA) Neugebauer Newhouse Noem Nugent Nunes Olson Palazzo Palmer Pearce Perry Pittenger Pitts Poe (TX) Poliquin Pompeo Posev Price, Tom Ratcliffe Reed Reichert Renacci Ribble Rice (SC) Rigell Roby Roe (TN) Rogers (AL) Rogers (KY) Rohrabacher Rokita Rooney (FL) Ros-Lehtinen Roskam

Ross

Rothfus

Rouzer