

announcements outlining the amendment process for H.R. 5485, the Financial Services and General Government Appropriations Act, 2017, and H.R. 4768, the Separation of Powers Restoration Act of 2016.

The deadline for amendments to be submitted for H.R. 4768 has been set at 10 a.m. on Monday, June 20. The deadline for amendments to be submitted for H.R. 5485 has been set for noon on Monday. The text of each bill and more detailed information can be found on the Rules Committee Web site, and Members are welcome to contact the Rules Committee staff with any questions they might have.

PERSONAL EXPLANATION

Mr. PITTENGER. Mr. Speaker, on rollcall No. 321, the fiscal year 2017 Defense Appropriations Act, I mistakenly voted "yea" when I intended to vote "nay." This amendment prohibited the use of government data for our intelligence services, and I fully intended to vote "nay."

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY) for the purpose of inquiring of the majority leader about the schedule for the week to come.

(Mr. MCCARTHY asked and was given permission to revise and extend his remarks.)

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday, no votes are expected in the House.

On Tuesday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

The House will also consider the fiscal year 2017 Financial Services and General Government Appropriations bill sponsored by Representative ANDER CRENSHAW.

The House will also consider the veto message of H.J. Res. 88, disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary."

Additionally, the House will consider a package of bills, authored by Representatives LYNN JENKINS and ERIK PAULSEN, that would make it easier for individuals to contribute to their health savings accounts and allow people to use their accounts to purchase over-the-counter drugs.

Mr. Speaker, the House will also consider H.R. 4768, the Separation of Pow-

ers Restoration Act, sponsored by Representative JOHN RATCLIFFE, which will ensure that the laws Congress passes are adhered to rather than the interpretations of unelected agency bureaucrats.

Finally, Mr. Speaker, the House may consider the conference report that includes additional resources to combat the Zika virus, if that measure is ready.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the schedule and would ask him, on his last point, on the Zika conference, does the gentleman have any information as to what might be the conference agreement? I don't have any information on that. Does the gentleman have any idea exactly where the conference is going and what we might expect?

I yield to the gentleman from California.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I know they are working very hard. They had met yesterday as well. I am hopeful that, in my conversations with the conferees, they are close to finishing, and I have been explaining to them, as soon as they are finished, we would like to bring it to the floor as soon as possible for passage.

I do want to thank the gentleman for his work on this effort as well.

Mr. HOYER. Mr. Speaker, let's hope we cannot go home, as we went home one recess, without doing Zika. Let's hope we certainly don't go home this recess without meeting this health crisis confronting our people. I am hopeful that the conference will come to agreement and we can pass it here on the floor. Hopefully, it will be at a level necessary to fund the work that needs to be done to respond to that.

The administration obviously has asked for \$1.9 billion. The Senate was less; the House was less. Hopefully, we can come to a number that will be sufficient.

On the appropriations, the Financial Services bill will be on the floor. Obviously, there has been an announcement from the Rules Committee about when amendments will be received and the deadline for amendments, clearly indicating it would be a structured rule.

□ 1345

I would simply, again, express concerns. We had structured rules. The gentleman made that point, and I agree with that point. Very frankly, we went from open rules, which we started out with, to structured rules because, frankly, it was our perception that what we were having is filibuster by amendments—amendment after amendment after amendment—from your side of the aisle.

As the gentleman well knows, the amendment process largely has been more amendments from your side on your bills than from our side. So we clearly have not been doing that. The gentleman mentioned something about abusing the process. Frankly, the

Speaker said that as well. I totally disagree with that, and I don't think there is any indication of that.

As I pointed out in the Energy and Water bill, a majority of your Members voted against your own bill, largely because it precluded discrimination against LGBT, which some people expressed that was the reason they voted against the bill, which I think is deeply unfortunate.

I quote from the Congressional Quarterly: "The use of a so-called structured amendment rule abandons the open-ended process that GOP leaders had hoped to adopt as part of a return to 'regular order' for appropriations bills."

Again, we did that, but we didn't make a big thing about not doing it. We didn't say that it is the wrong thing to do and the House was acting out of regular order. We did structured rules so we could get the bills done on time. I, frankly, see no evidence—none, zero—that we have delayed consideration of these bills in any way. That was not true, I guarantee you, when I was majority leader of the House. The strategy on your side of the aisle—not you, but on your side of the aisle—was to delay these bills and undermine them.

Now, we had a lot of amendments offered by your side that we didn't like. It was very uncomfortable politically for a number of our people. But those amendments were provided for. And you are absolutely correct, when it got to a point where we obviously couldn't get the bills done in a timely fashion, we did go to a structured rule. So I don't criticize so much the fact that you are having structured amendments as I am the fact that you so complained about that not being regular order, and as soon as you had a difficult amendment, the LGBT discrimination amendment, thereafter, within days, you announced that, oh, no, you were going to go to a structured rule because the amendment process was being abused.

Now, I don't want to belabor the point any more than I have, but, again, on the Defense bill, we have seen an egregious, tragic, and horrific event. And, Mr. Speaker, this is on policy and what I firmly believe is a mistake that we are making. Mr. SEAN PATRICK MALONEY of New York wanted to offer an amendment to say you shouldn't discriminate against citizens who are members of the LGBT community.

We saw a horrific event Sunday morning where a hate crime was committed, a hate crime directed at LGBT members and, perhaps as well, members of the Latino community by an American citizen—not by foreigners, not an international, however he may have been motivated. But it was clear the animus was a hate crime.

To the extent that we allow discrimination or do not prevent discrimination, I suggest respectfully that we, in a way, convey that it is okay to discriminate, it is okay to not like these

people, whoever these people are, whether they be African Americans, whether they be LGBT, whether they be people born in another land. It is not okay, and I deeply regret that we don't allow the House to work its will.

It did work its will. It adopted the Maloney amendment. Then that bill was rejected. You are right. We voted against it. We didn't like the bill from the very beginning. But presumably, it was going to pass but for the adoption of the Maloney amendment—with your votes because it was your bill, a majority bill. We always passed our bill, if you look at the RECORD, with our votes when we offered appropriations bills to the floor.

So I am hopeful that, notwithstanding the fact the rule is going to be structured, the Maloney amendment, which will speak to the very tragedy that occurred this past week—in part, not totally—will be allowed to be made in order so the House can loudly, clearly, and unequivocally say we do not believe in discrimination against fellow citizens because they are LGBT citizens.

Mr. Speaker, I yield to my friend if he wants to make a comment.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman, and I understand the gentleman's concern. I want to make it a point to make sure that we do have voices heard and Members have amendments.

I went back and looked at the numbers. Now, I know there are hundreds of amendments because these bills go through subcommittee, then they go through full committee, and at all times, Members from both sides of the aisle can offer amendments.

When I looked at last year's bill, under an open process, open rule, we considered 65 amendments on DOD. Well, we just considered 75. So it is a very open, structured rule. I went back and thought, let me look at overall. Is there history within Congress that we could measure ourselves to?

Well, if I take as of May, the 114th Congress has considered 1,269 amendments overall on bills on the floor that have already gone through committee with the amendment process. In the 113th Congress, we were at 1,545.

Now, how do we measure up with other Congresses?

As you spoke, during the majority of the 111th Congress, they were at 778. I understand the concerns that you have, but I feel very comfortable in the fact that voices are being heard, and it is a very open, structured rule for amendments that could be offered.

Another point to make is we just passed an appropriations bill dealing with defense in a large, bipartisan manner. So I believe it is working. It is a process that we continue to work through, and I applaud the gentlemen on both sides of the aisle who worked to help us get a bill that just got finished in a bipartisan manner.

I do want to thank the gentleman for his work on our last bill. There have

been nine bills on this floor that have dealt with terrorism, the radical Islam that is attacking this country and other countries, from the task force that we put together after the attacks in Paris, three of them dealing directly with the radicalization of Americans—persons born in America and radicalized—and the damage they cause. I mourn the loss of those Americans and pray for those families, for what they are going through today.

Now, those bills have sat in the Senate, but the House had taken the action. Today, we put those bills back together to make it easier on the Senate to be able to move those to the President's desk and signed into law.

Mr. Speaker, I thank the gentleman for his help and work with that.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his comments, and although, as you saw, we had an overwhelming vote for those three bills. We had already passed those. They are in the Senate. Now we have packaged them and repassed them. Mr. Speaker, I would say, with all due respect to the majority leader that, frankly, the events of Sunday would not be affected by those bills.

We would hope very sincerely—again, let me reiterate, in the “Young Guns” under your authorship and Mr. Cantor's authorship and Mr. RYAN's authorship, that you believed in the book, the three leaders of this House—Mr. Cantor is no longer with us—in openness, consideration of issues, notwithstanding the fact that they may be uncomfortable issues.

And, in fact, Speaker RYAN said—and I am sure you are tired of hearing me use this quote: “But Ryan said he wasn't interested in playing things safe if it came at the expense of an open legislative process . . . we are not going to auto-up the process.” Structured rules auto-up the process. “We are not going to auto-up the process and predetermine the outcome of everything around here. I want the House to work its will.”

With all due respect to my friend, I asked a specific question—and I will reiterate that question. It is not about whether we have had 1,000 amendments or 5 amendments or 700 amendments. It is whether or not the Maloney amendment will be made in order on the Financial Services bill. The reason I say that is because we have had, I think, before the horrific incident that occurred on Sunday, a dramatic demonstration that this was, among other things, a hate crime. It was a hate crime based upon prejudice. What the Maloney amendment seeks to do is to put the Congress of the United States on record as being against that discrimination.

That is a very important issue. It is a critical issue about what this country is and the values that we have. It is the very kind of issue that it would seem to me to be self-evident to fall into the category of “I want to House to work its will.”

This is not some number of amendments or this, that, and the other. This is a serious and immediate, clear and present danger to a lot of our citizens. We think it is important for Congress to go on record as saying that we are against discrimination in that regard.

We would hope that this amendment would be made in order. We can't offer it because it is not an open rule. We weren't allowed to offer it on the Defense bill. I would hope that Mr. SEAN PATRICK MALONEY of New York is allowed to offer that on the Financial Services bill, and the House can consider it. If the House disagrees with MALONEY, then the amendment will lose. But it will be consistent with the rhetoric that has been included for years by, frankly, the majority party, Mr. Speaker, that we will consider issues on their merits.

Mr. Speaker, I will be glad to yield to my friend, but I hope I convey to you that we don't believe this is a political issue in that sense. We believe this is a serious issue, and we believe that literally millions of Americans are feeling very, very lonely in some respects, threatened in other respects, and hopeful that the Congress of the United States would go on record as saying we will not tolerate discrimination against fellow Americans just because of a category that they may reside in.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for the effort in which he puts forth his argument.

Every amendment before the Rules Committee will be considered, and that will be brought forth next week. I will keep the Members posted on what the Rules Committee comes forth with.

The one thing I do want to remind the gentleman of, the numbers show this may be a structured rule, but there were more amendments offered on the floor under a structured rule than an open rule. This is probably one of the most open, structured rules we have ever had.

The numbers show that the amendments here are almost twice as many were offered in the 111th this time by May, and even more importantly, these bills have gone through committee—subcommittee and full committee—where all amendments are offered without going through the Rules Committee.

So, yes, it is my desire to have the voice of individuals heard, to be able to have amendments on this floor. That is why we created a structure that has this process to be able to work.

Mr. HOYER. Mr. Speaker, I thank the gentleman. The gentleman has just said we want to have individuals have the right to offer amendments. Mr. SEAN PATRICK MALONEY of New York wants to offer this amendment.

□ 1400

This House voted for his amendment, as the gentleman recalls. A majority of this House supports the Maloney amendment, unless they have their

votes changed. They had their votes changed. We came back the following week, and the majority of this House voted for the Maloney amendment. Unfortunately, the bill went down. I say "unfortunately" because the Maloney amendment didn't go forward. There were a lot of good things in that bill. A majority of your Members voted against it. Had a majority of your Members voted for it, it would have passed, notwithstanding what we did, because you are in the majority and you have the numbers.

So I would simply urge not to talk about we have had 15 amendments or 500 amendments. We would feel it very important that this Congress go on record telling our fellow Americans that we don't believe in discrimination against LGBT citizens, period. If the majority of the House would vote that way, I think the majority of the Senate would vote that way. If the Maloney amendment is made in order, it will have, in my view, the support of the majority of this House. In that regard, therefore, it is certainly not specious, and I would hope that it would be made in order.

Lastly, Mr. Speaker, we have seen a 16-hour filibuster on the floor of the United States Senate. That filibuster was about bringing to the floor of the House of Representatives legislation which is supported by over 75 percent of Americans.

First of all, if you can't fly, you ought not to be able to buy a gun. If you are so dangerous that you can't get on a plane, you ought not to be allowed to buy a gun that could kill a lot of people very quickly, as we saw just the other day.

And secondly, the overwhelming majority of Americans support enhanced background checks overwhelmingly. Those two issues.

I am led to believe, though I haven't done the poll directly, that a majority of those who are members of the NRA—not the association itself, the National Rifle Association, but the majority of the members—when asked, support those two propositions.

I would hope that they would be brought to the floor so that the House could work its will, again, on the premise, as you have stated and others have stated in your party, that under the leadership of the Republican Party the House is going to be able to work its will on important issues. That, we believe, is a critically important issue. I would hope the gentleman could assure me that that will be brought to the floor not necessarily next week, but in the very, very near future.

I yield to my friend if he wants to respond.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

As the gentleman knows—and I thank you for buying the book; I thought only my mother did—an open process also means going through committee. I can't will something just to come to the floor. We like things to go through committees.

I know at times like this we want to make sure that fear does not get the better of our judgment. It is absolutely appropriate for us to discuss options that could hopefully prevent the next attack.

I am proud of the fact that the last bill we just passed dealt with the radicalization of Americans. But we cannot lose sight of our basic rights protected in the Constitution, including the right to due process.

In the weeks and months to come, I would expect that the House will take additional action in response to the threat posed by ISIL and others. I look forward to working with the gentleman in a constructive way to ensure the safety and security of all Americans.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Let me remind him that—although there seems to be some tangential relationship because of the self-proclamation by the killer, the person who created the massacre in Orlando—the person who created the massacre in Charleston, Roof, had no relationship to ISIL or anybody in the international community. He didn't like African Americans. He killed them because of the color of their skin, and we speak out against that, properly so.

Had the background check been appropriate in that case, that may have been stopped. We don't know. But it is certainly worth making the effort to ensure that guns do not get in the hands of those who ought not to have them. Again, as I say, a majority of the American people support that.

And, yes, the Export-Import Bank was bottled up in committee—we understand you can bottle things up in committee—over 2½ years. When it finally got to the floor, a majority of Republicans and all but one Democrat voted for it, over 300 votes for it, but it was bottled up in committee. That may be regular order, but it is not openness, and it is not having the House work its will.

I would urge that those two items in particular—the no fly, no buy legislation and the enhanced ability to know whether people ought to have guns or not—whether suffering from some sort of mental problem or having criminal records, that they not buy guns. I would hope we can bring that to the floor and have this House work its will, as has been suggested your side would do when and if it was in power, and it has been in power now for some period of time.

If the gentleman wants to make additional comments, I will yield. If not, I will yield back the balance of my time.

Mr. MCCARTHY. Will the gentleman yield for one point?

Mr. HOYER. I yield to the gentleman from California.

Mr. MCCARTHY. It was your birthday this week, and I just want to wish you a happy birthday.

Mr. HOYER. Another vicious attack on me.

I thank the majority leader, who is always very kind. I appreciate that very much.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JUNE 16, 2016, TO MONDAY, JUNE 20, 2016

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 5, 2016, regarding morning-hour debate not apply on that day.

The SPEAKER pro tempore (Mr. POLIQUIN). Is there objection to the request of the gentleman from California?

There was no objection.

CHEROKEE TRAIL BOY'S BASEBALL TEAM

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the boys baseball team of Cherokee Trail High School on winning the 2016 Colorado 5A State championship game on May 29, 2016.

The students and staff who were part of the title-winning Cougar team deserve to be honored for winning the State championship for the first time since they won the 4A State championship in 2007. The Cougars beat Rocky Mountain High School 5-1 in the series, and ended the season with a winning 25-5 record.

Throughout the season, the boys of Cherokee Trail baseball team were dedicated, worked hard, and persevered. These traits were a key factor in their endeavor to win the championship. But winning would not have been possible without the tireless leadership of their head coach, Allan Dyer, and his commendable staff.

It is with great pride that I join all of the residents of Aurora, Colorado, in congratulating the Cherokee Trail Cougars on their State championship.

GUN VIOLENCE

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, when will we have legislation to help stop the gun violence? Orlando, Charleston, San Bernardino, Newtown, Aurora, Fort Hood, Virginia Tech—and, yes, the list goes on. It seems like every few days we see yet another shooting and more scores of innocent lives cut short.

I believe, like the majority of Americans, I am ready to wake up from this nightmare. I know many in this Chamber, Mr. Speaker, feel the same way, too.

Well, it is time for Congress to act. We don't have to look for motivation. The outpouring of love and coming together following the Charleston 9