

She has further enriched the community by teaching crochet classes, serving residents at Haven Skilled Rehabilitation and Nursing, and assisting at Lock Haven Hospital.

Mr. Speaker, the time and dedication Mrs. Johnson has given to her community is truly inspiring. I am so proud to congratulate her on this well-deserved award.

I congratulate Mrs. Johnson, and I thank her for all that she has given in services to the communities of both Centre and Clinton Counties.

#### BORDER SECURITY

(Ms. SÁNCHEZ asked and was given permission to address the House for 1 minute.)

Ms. SÁNCHEZ. Mr. Speaker, after more than 6 months of failing to pass any major legislative bills, House Republicans are becoming desperate for a win. So desperate, they decided to sneak in \$1.6 billion into a funding bill to start construction on an unworkable wall along our border. While I support real border security, this stunt is a far cry from that.

I believe in investing our Federal dollars wisely. Instead of building a medieval solution that will not work, why don't we use those billions of dollars for a big, beautiful jobs package? Or big, beautiful bridges, roads, and infrastructure throughout this country? Or to ensure that our children can access higher education and job training, healthcare, and housing?

Instead, my Republican colleagues are attempting to distract us from their failures by passing this bill. You would think that with their back against a wall, they wouldn't be this eager to start building another one.

#### CONGRATULATING THE SERGEANT ANDREW BRUCHER VETERANS OF FOREIGN WARS POST 5499

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

Mr. FASO. Mr. Speaker, today I rise to congratulate the Sergeant Andrew Brucher Veterans of Foreign Wars Post 5419, located in Kauneonga Lake, New York, which will soon be celebrating its 50th anniversary.

At the anniversary dinner, the post will honor two very special people: Mrs. Mabel Brucher, a Gold Star mother whose son Post 5499 is named for; and Mr. Raymond Jankowski, a veteran of the Second World War and founding charter member of Post 5499.

Honoring those who have served our Nation should be a top priority for all Americans, and the VFW is an essential organization that fosters camaraderie among American veterans and advocates on their behalf.

Congratulations to Post 5499. I look forward to honoring this important milestone with members of the post this weekend.

#### BORDER WALL

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

Mr. CÁRDENAS. Mr. Speaker, today I rise to oppose the inclusion of \$1.6 billion that would be a waste of taxpayer money on this useless wall. The funds will go towards an unnecessary wall along the Southern border. This wall that the President promised voters that Mexico would pay for is now being put on the taxpayers' backs.

\$1.6 billion can be used for better things. It can pay for thousands of jobs in the U.S. and workforce development programs and apprenticeships.

And one other thing: agents protecting our border don't even want it. They do not see themselves as defenders of a wall.

Mr. President, please come back to reality. This is not "Game of Thrones."

This administration needs to stop demonizing people outside of our borders. We need to fix our immigration system, and we can do it in a humane and pragmatic and effective way, and in a way that will supercharge our economy and actually create American jobs.

The SPEAKER pro tempore (Mr. POE of Texas). Members are reminded to address their remarks to the Chair and not to the President.

□ 1230

#### IN RECOGNITION OF BRIAN BERG

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

Mr. SCHRADER. Mr. Speaker, as the House co-chair of the bipartisan Paper and Packaging Caucus, I rise today to recognize an individual from my district who has dedicated his entire professional life to an industry that is the lifeblood of a rural community in my State, Toledo, Oregon. I am talking about Brian Berg, who, after 41 years with Georgia-Pacific, will be retiring Friday.

For 50 years, GP has been an integral part of Lincoln County and a community partner, providing paper and packaging products that are used around the world.

For over 41 years, Brian has been a leader at GP in helping ensure that the mill continues to thrive and be successful and provide for this community now and into the future.

I want to thank Brian for his dedication, his service, and his commitment to an industry that has been critical to my district and many of my constituents. I wish you all the best and hope you get to enjoy some time with your lovely wife, Janet, and kids, Savannah, Ashley, and Riley.

#### PRESIDENT TRUMP WILL DENY TRANSGENDER PEOPLE THE RIGHT TO SERVE IN THE MILITARY

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

Mr. BLUMENAUER. Mr. Speaker, today, Donald Trump announced via Twitter, how else, that he is going to reverse the Obama-era decision and deny transgender people the right to openly serve in our military.

I think it is shameful to divide Americans, in the face of their service and sacrifice, for his political gain.

This is not about national security, it is not about saving money, and it is not about fabricated claims of disruption. What is disruptive is discrimination against an entire class of Americans who are or who want to protect and defend America. That is the same argument that was used against women in the service, against gays and lesbians.

We ought to welcome any American who is qualified and willing to serve to protect our great country, to protect America and our values, even as the President undermines both.

#### PROVIDING FOR CONSIDERATION OF H.R. 3219, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 473 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 473

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-30 shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived.

SEC. 2. (a) No further amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution, amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(b) Each further amendment printed in the report of the Committee on Rules shall be

considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or his designee to offer amendments en bloc consisting of further amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 20 pro forma amendments each at any point for the purpose of debate.

SEC. 5. At the conclusion of consideration of the bill for amendment pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 6. (a) During consideration of H.R. 3219, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

(b) This paragraph shall not apply to an amendment between the Houses.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of H.R. 3219, the Make America Secure Appropriations Act, 2018. The rule provides for 2 hours of debate equally divided and

controlled by the chair and ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us represents the end product of many months of work by the Appropriations Committee. In this package, we will be considering four appropriations bills: Defense, Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs. Together, the four parts of the bill make up the Make America Secure Appropriations Act for fiscal year 2018.

The legislation ensures that our most important government services will be funded responsibly and appropriately and that we will fulfill our most important responsibilities as legislators: funding the government and keeping it open to serve our constituents.

The bill provides a total of \$658.1 billion for defense, an increase of \$68.1 billion in discretionary funding above the fiscal year 2017 levels, and an increase of \$28.3 billion over the President's request. It also includes \$73.9 billion in Overseas Contingency Operations and Global War on Terrorism funding.

These funds will help us enhance our military readiness, and the substantial increase marks an end to the ongoing erosion of our national military strength that occurred during the Obama administration.

Importantly, this bill also provides an increase in funding for veterans. Over the past several years, the House has worked to improve the Department of Veterans Affairs and to ensure that all veterans receive the care and benefits to which they are entitled.

The Department of Veterans Affairs will receive a 5 percent increase in this bill, including \$74 billion for the Veterans Health Administration.

The increased funding represents an important step toward fulfilling our promise to improve care, reduce wait times at the VA, and enhance benefits for our Nation's veterans.

The Energy and Water portion of this appropriations bill provides \$37.6 billion in funding for fiscal year 2018, a decrease of \$209 million from fiscal year 2017.

The bill includes an increase in funding for the National Nuclear Security Administration that includes funds to restart the licensing process for Yucca Mountain, the national disposal repository for spent nuclear fuel. It also provides \$6.16 billion for the Army Corps of Engineers, a \$10 million increase over fiscal year 2017.

H.R. 3219 also provides \$3.58 billion for the Legislative Branch. It does not recommend funding levels for the Senate, as per our longstanding tradition.

The bill includes a significant increase in funding for U.S. Capitol Police and adds additional funds for securing offices in Washington and in congressional districts. Importantly, it continues the freeze on Member pay.

The package before us represents the House fulfilling its primary responsi-

bility: to fund the government. This package funds hundreds, if not thousands, of Member priorities, particularly on the defense side.

I applaud my colleagues on the Appropriations Committee for their months of working and making this bill a reality. It shows what the House can do as we move forward toward completion of the fiscal year appropriations process.

Mr. Speaker, I urge support of the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, it is hard to know where to begin, because this process is so lousy, but I want to rise today in opposition to this rule and the so-called underlying bill, H.R. 3219, the GOP fiscal year 2018 so-called security minibus appropriations bill.

This rule makes in order 72 amendments for debate on the House floor, blocking 100 amendments. It continues the terrible closed process that this Republican majority has used since they took control of the House in 2011.

When Speaker RYAN took the gavel, he promised a fair and open process with regular order where both the majority and the minority would have the opportunity to have their voices heard, and I am happy to provide the full text of that speech to my Republican friends.

I guess we were misinformed, because our collective voices are repeatedly silenced in this Chamber, not just Democrats, but Republicans as well.

Speaker RYAN's broken promise was clearly on display last week when he waited until the dead of night to strip out of the Defense Appropriations bill a provision requiring Congress to debate the issue of the 2001 AUMF. That provision was adopted by the full House Appropriations Committee on a bipartisan basis as an amendment offered by our respected colleague, Representative BARBARA LEE. The bipartisan Lee amendment would sunset the outdated 2001 AUMF and give Congress 8 months to enact a new one, ensuring that Congress finally debate and vote on the many wars in which the United States is engaged.

If the Republican leadership doesn't like the lead provision, then the Rules Committee could have made in order an amendment to strike it from the bill. That would have given Members the chance to vote up or down either to keep or remove the provision. That would have been regular order, that would have been fair, that would have been open, but, instead, House Republican leadership took it upon themselves to replace Ms. LEE's provision with alternative language calling upon the administration to produce a report.

Republicans on the Rules Committee defended this action, saying that the Lee amendment legislated on an appropriations bill. The trouble with that logic, Mr. Speaker, is that the language that replaced Ms. LEE's amendment also legislates on an appropriations bill. That is right. House Republicans put in an amendment that violates the same rule.

If this leadership is going to silence Members on flimsy procedural grounds, they probably shouldn't break those same rules on the same day.

Even more shameful, the Republican leadership's continued actions to block every effort and refuse to allow Congress to debate and vote on these wars, I believe, is an insult to the men and women in uniform, who put their lives on the line every day to protect our country, and to their families.

Americans deserve better, and the bipartisan voices calling for action will not be silenced, but this is just one example of regular order being abandoned in order to advance an extreme agenda.

Tomorrow, House Republicans will use another legislative trick, the self-executing rule, to stick taxpayers with a \$1.6 billion bill for President Trump's reckless and ineffective border wall with Mexico.

Now, instead of bringing that measure to the floor for an up-or-down vote in an open process where all voices could be heard, the Republican leadership is sticking this provision into the rule so that as soon as the rule is approved, the measure will automatically become part of the bill.

President Trump, as you may recall, promised the American people that he would make Mexico pay for this wall. He repeated it over and over and over again during the campaign. But now, House Republicans want to take \$1.6 billion of hard-earned tax dollars from millions of Americans to fund it.

□ 1245

Let me point out, Mr. Speaker, this \$1.6 billion is only targeted at 74 miles of the border: two small tracts in Texas and one small tract in California.

And how did this provision on the border wall make its way into this minibus of appropriations bills? It was literally lifted out of the Homeland Security appropriations bill and its few sentences air-dropped into this package.

Where is the rest of the Homeland Security bill, Mr. Speaker? Sitting in limbo, that is where it is.

I guess there weren't any other national security priorities in the Homeland Security Appropriations bill that merited the very special treatment that the 74 miles of this lousy wall seem to be getting. I see that the only priority that matters for my Republican friends when it comes to the security of our Nation is 74 miles of wall costing \$1.6 billion.

Mr. Speaker, this is a disgrace. This is just a disgrace.

And then, because it will be part of a self-executing rule, Republicans won't

even have to vote on this Republican priority. They will just vote on the rule and, bingo, it is all taken care of. There will be no separate vote on this. You get the funding for the wall, but nothing on record that says you voted to waste \$1.6 billion on 74 miles of border wall. Republicans can go home and say they delivered on the wall. I guess they better hope that their constituents don't ask them to show them the vote.

But as I said, Mr. Speaker, this is a disgrace on funding. It is a disgrace on funding priorities, and it is a real disgrace on process. I mean, we should be ashamed of the process in which this bill is being brought to the floor.

I wish I could say that I am surprised by all of this, but the fact is that House Republicans have been doing this kind of thing for quite some time now. This week, you may have read about this: Kellyanne Conway claimed that even if President Trump says something that isn't true, it is not a lie if he believes it.

Well, you can't make this stuff up. Well, I take that back. I guess you can make everything up.

It seems clear that this warped logic has infected this Chamber, with the House Republican leadership employing this same kind of thinking and underhanded methods on a regular basis. They defend a process that is indefensible, plain and simple.

This is a rigged process. Let's be honest. This is a rigged process.

Is this really how we want Congress and this House to conduct the business of the American people? Is this how we will conduct the appropriations process not only now, but in the future: no debate for individual appropriations bills and severely limiting amendments overall? no regular order and a subversion of the committee process?

Soon, maybe there will be no amendments on appropriations bills at all. This is a slippery slope, and I urge my Republican colleagues to carefully consider the dangerous road that we are going down.

Americans deserve better from their leaders in Congress, especially when it comes to deciding how the American people's hard-earned tax dollars will be spent. Republicans talk about fiscal responsibility, but what I see here today is another reckless and bloated budget proposal that empties the Treasury vaults for wasteful military spending when we have so many critical priorities here at home that are in desperate need of funding.

Now, apparently, House Republicans have no problem with spending \$1.6 billion on President Trump's border wall with Mexico, but when it comes to investing in our own communities here at home, they can't be bothered.

How about investing in our kids' schools? Why aren't we doing more to ensure that our young people have the resources and the support they need to get additional education? Make college more affordable, for example. Wouldn't that be a radical idea?

Republicans love to talk about personal responsibility and the need for Americans to work. Why aren't we investing \$1.6 billion more in job training programs and finding ways to increase wages?

We should be making sure that more families have access to good jobs and that no one in America who works full-time has to raise their family in poverty.

President Trump had what feels like countless infrastructure weeks, but we have yet to see Republicans propose any legislation to make good on their promise to finally invest in America's infrastructure and finally fix our Nation's crumbling roads and bridges.

Instead of making any of these policies the top priorities that they should be in this Congress, Republicans are just offering more of the same: empty rhetoric and broken promises.

Now, to be clear, the legislation that we will consider today, H.R. 3219, does fund some important priorities. Our national security must be our number one priority with policies that are both strong and smart. I strongly support our men and women in uniform and believe that Congress should provide our troops everything that they need. Yet Republicans have deliberately created a security bill that raises serious concerns.

Let's recap for a second, Mr. Speaker. The final version of this bill will include \$1.6 billion for the President's useless and immoral border wall. It strips out the bipartisan Lee amendment that would have ensured Congress finally grapples with the wars that we are sending our troops to fight instead of continuing to write the White House a series of blank checks. And to top it all off, Mr. Speaker, the four bills contained in H.R. 3219 blow through the Budget Control Act cap on defense spending by \$72 billion, threatening a 13 percent sequester cut to all defense accounts.

While obliterating the defense spending cap, House Republicans have proposed reducing nondefense spending to \$5 billion below its cap. It is legislative malpractice that Republicans have ignored this reality and have done nothing to work with Democrats to write a new bipartisan budget agreement to raise the Budget Control Act caps for both defense and nondefense spending. Republicans are setting us up for a train wreck, a government shutdown, or worse.

This is not good, Mr. Speaker. This should concern every single Member of this Chamber, both Democrat and Republican. And so I urge my colleagues to reject this rule and finally take a stand against this process, which is rigged and closed and restrictive, and to oppose the underlying bill.

I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume before I go to my first speaker in order to respond to some of my friend's points. I want to begin by talking about the amendment process just very quickly.

It is worth noting 72 amendments are made in order here; 47 of those were actually Democratic amendments. Many of the amendments that my friend referred to that had been submitted to the Rules Committee, at least a third of them, were knocked out because they were simply out of order.

But my friend is correct: it is not an open rule. I do remind him that the first people to eliminate open rules on appropriations bills were not Republicans. It was actually the Democratic majority in 2009 that ended the practice and, for 2 years, allowed almost no amendments on any appropriations bills, and most appropriations bills never came to the floor. So I think my friends bear a considerable amount of responsibility for where we find ourselves today.

I do want to talk a little bit, too, briefly, about my friend's comments about the AUMF, because he has been a good friend and a close ally in an area that we have a similar concern.

I agree with my friend. We need to debate this, and we need to have an AUMF that is more in tune with the times and, frankly, reintroduces congressional power and congressional oversight. I have worked with my friend in the past on that. I am going to continue to work with him on it going forward.

But in the case of the Lee amendment, which, in full disclosure, I supported in the Appropriations Committee, the chairman of the committee of jurisdiction, which is not the Appropriations Committee, made it known that he would lodge a point of order; so, in other words, that would never get to the floor.

In place, we have put something that, frankly, will at least require the administration, on the passage of this bill or the Defense Authorization Act, in which it is also found, to submit a report that justifies where the administration is legally, lays out their strategy, lays out their costs, and gives us a chance to begin a debate.

As a sign of good faith, I am happy to report that the Foreign Relations Committee, which actually does have jurisdiction here, actually had their first hearing on a new AUMF earlier this week. So I think we are trying to get to the same place. My friend may have a different way to get there, but I agree with him, we need to reexamine, re-debate, and, I think, reenact a new AUMF. I think we are trying to get there in a step-by-step, logical progression.

Finally, while my friend is concerned about where we will end up in this process and, I think, legitimately so, I also want to point out we have actually managed to come together here the last couple of years and, I suspect, will again.

In fiscal year 2016, we had the same series of events, and yet Congress came to an agreement on full funding that was bipartisan and passed by substantial numbers of both parties partici-

pating, a majority in each party. The same thing was true in fiscal year 2017. My hope is that it will be true again in fiscal year 2018.

But this is an important part of the process. We need to go through this. At the end of the day, and I tell this to my friends on the right and the left, we will end up with a bicameral, bipartisan appropriations bill. There is simply no other way to fund the Government of the United States, and we pledge to work toward that.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BYRNE), my good friend, a member of the Rules Committee, but also a distinguished member of the House Armed Services Committee.

Mr. BYRNE. Mr. Speaker, I rise in strong support of this rule and the underlying bill. The Make America Secure Appropriations Act is all about protecting the American people and securing our homeland.

Unfortunately, years of underfunding have severely hurt our military. With this bill, we can make real progress towards rebuilding the military and adding more troops, sailors, airmen, and marines to the force.

Building on our pledge to boost the Navy to a 355-ship fleet, the bill funds 11 new ships. Included in this are three littoral combat ships, of which the Independence class vessel is built by a fantastic workforce in southwest Alabama.

Having state-of-the-art facilities and resources is vital to the success of our military. To help repair dilapidated and aging military infrastructure, the bill provides a 25 percent increase in military construction funding.

Supporting our servicemembers and their families is also a high priority of this bill, as it provides for the largest military pay raise in 8 years.

That is not all it does. It also provides for our Nation's veterans, the very people who devoted their lives to protecting our country and the values we hold so dear. This bill provides the highest level of funding for the Department of Veterans Affairs in our Nation's history. This will help cut down on the claims backlog and move forward with a new electronic medical health records system.

I am also pleased that this bill will allow us to begin increasing our Nation's border security in an effort to keep bad actors out of our country. The American people sent a strong message last November that they wanted a wall securing our southern border. This bill will begin this process by providing over \$1.5 billion requested by President Trump for physical barrier construction along the southern border.

Mr. Speaker, over this last weekend a lot of people in America went to see a movie called "Dunkirk" about the evacuation of over 300,000 British and French troops back over to England. Prime Minister Winston Churchill had only been in office a couple of weeks at

that point in time, but he had predicted for years before that in speeches before the House of Commons that that day was coming, and they took his speeches and they put them together in a book called, "While England Slept." With this bill, we are sending a strong message to the world that America is not asleep.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just remind my colleagues here that we are debating the rule, and this is about process.

The gentleman from Oklahoma earlier talked about waivers and that the Lee AUMF language would be subject to a point of order. Well, the language that my Republican friends replaced the Lee amendment with is protected by a waiver of all points of order because it was also legislating on an appropriations bill. As I pointed out last night in the Rules Committee, you made in order amendment No. 19 by Mr. GRIFFITH, which violates section 306 of the Congressional Budget Act, and you provided a waiver for that.

My Republican friends routinely grant waivers in bills that come before the Rules Committee. The problem is that the waivers are only granted for your amendments and never for our amendments, and that is just not fair and that is not right.

So if your policy is going to be we are going to grant no waivers, then it ought to apply not just to Democrats; it ought to apply to Republicans, too. But there is this double standard here, and voices that you disagree with always seem to end up being cut off.

So, Mr. Speaker, I just point that out because this process and the reason why so many of us are angry about this process is it is so blatantly unfair.

The gentleman from Alabama talked about how we all want to commit to upholding the national security of this Nation. I agree with him, but I would say we are not doing our jobs if this floor is not a place where we can have a free-flowing debate, where Members can offer different ideas and be able to have a vote on them. I would just say, with all due respect to my Republican colleagues, you do not have a monopoly on all good ideas.

□ 1300

You know, we have a couple of good ideas, too, and maybe some of your Members agree with that as well.

The other thing we are going to object to is, again, the way my Republican friends self-execute controversial measures like this border wall at \$1.6 billion, basically denying an up-or-down vote. Maybe it is to protect your Members in swing districts; I have no idea. Maybe you don't think you have the votes to do it. But if you don't have the votes to do it, it ought not to be in this bill. That is just, to me, a sound way to approach legislating. All the normal rules seem to be thrown out the window here.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms.

MCCOLLUM), the distinguished ranking member of the Appropriations Subcommittee on Interior, Environment, and Related Agencies.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to the Make America Secure Appropriations Act, 2018.

Mr. Speaker, we are in a constrained fiscal environment, and we need to make smart choices about the future of our country. I am disappointed to see that many of the choices that the Republican leaders have made in this bill are completely out of balance with the needs of the American people.

Republicans have chosen to exclude eight of the appropriations bills from this legislation: funding for roads and bridges to drive on, quality healthcare for our family, protecting our clean air and our drinking water, and the education of future generations. These critical investments that all Americans depend upon are left by the wayside with no path forward.

Republicans have chosen to put forward a bill that exceeds the defense caps by \$72 billion. With no budget agreement in sight, this bill would trigger sequestration cuts that our military leaders have warned us would have catastrophic consequences for our men and women in uniform.

Republicans have also once again declined to make commonsense cuts to defense spending by denying the Pentagon's request for a new BRAC round. Make no mistake: this will waste billions of dollars over the next decade.

At a time when countries like China are emphasizing research and investments in clean energy, Republicans have chosen to eliminate funding for ARPA-E, doing great harm—great harm—to America's global competitiveness in advanced research energy.

Mr. Speaker, these choices are simply unacceptable to my constituents and to the American people, and I urge my Republican colleagues to work with Democrats to put forward appropriate funding bills that will advance the appropriations bills for all of America and to make America the strong country it should be.

Mr. COLE. Mr. Speaker, before I go to my next speaker, I yield myself such time as I may consume to respond to my friends.

First, to my good friend from Massachusetts, and he is very much my good friend, but when I was in the minority, I asked repeatedly, I used to come up to the Rules Committee, as a former member of the Rules Committee, and I always got the warmest, most gracious reception, but I don't think I ever got an amendment approved. You can legislate on appropriations bills if the chairman of the authorizing committee consents to allow you to do it.

I have a great deal of sympathy with my friend's position on Ms. LEE's amendment. I actually supported that amendment in subcommittee, but I recognize that we are not the appropriate committee, and if a different au-

thorizing chairman wanted to do something, he could.

Finally, with all due respect to my friend, we are not the ones that began this process of eliminating open rules on appropriations. My friend's party is. We actually tried to restore it. I regret that we did not succeed in that. This was not something I like doing, but, frankly, it has gotten around here where people are more interested in "got you" amendments than real amendments, and that is basically what has happened here. I hope we can revisit that someday and go back to the traditional way of doing this.

Finally, to my good friend from Minnesota, I want to make a pledge to her, and she knows it is sincere: we will work together. I don't think this bill ultimately will be passed without bipartisan cooperation, and I look at the 2015, 2016, and 2017 bills that all did end up as cooperative measures.

Just to refresh my friend's memory, it was back in April that we passed a \$1 trillion-plus spending bill for fiscal year 2017 that was extremely bipartisan. A majority of my friends on the other side of the aisle voted for it, the majority of my friends voted for it, and the President of the United States signed it.

This is a long and lengthy process to fund the government, and I suspect, at the end of it, we will come together. That is certainly what I am going to try to do as I work through the process.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS), a member of the Transportation and Infrastructure Committee.

Mr. GIBBS. Mr. Speaker, I rise in support of the rule for H.R. 3219. This bill provides funding for the Federal Government's most critical function—national defense—with the Make America Secure Appropriations Act, as we are making sure the men and women who protect and defend our country have the best equipment and training in the world, and that they get the pay raise they deserve.

Additionally, I am pleased to see my provisions I have worked on were included in this legislation to protect Lake Erie by preventing the Army Corps of Engineers from using open lake placement as a method of disposal of dredged material unless a State water quality certification is provided. This is ensuring that Lake Erie remains on the path towards a healthier natural resource.

The bill also gives the EPA Administrator and the Secretary of the Army further authorization to withdraw the waters of the United States rule.

Finally, this legislation provides the resources to better secure our border and protect our citizens and our national security. We are making good on our promises to build the wall.

Mr. Speaker, I urge my colleagues to support this rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

Mr. Speaker, I rise in strong opposition to this rule. I had a real bipartisan amendment that had been in order repeatedly in recent sessions, gaining bipartisan support, to be able to deal with the crisis that our veterans face in terms of addiction, opioids.

The VA, sadly, has a horrible record in terms of how they deal with these veterans. They suffer suicide 50 percent higher than the general public. The opioid addiction rate is twice the general population.

Mr. Speaker, I have been working for years in the area of medical marijuana. Twenty-nine States have now legalized it. I wish my friends on the Rules Committee had taken the time to listen to the stories of veterans and their families about what difference it made for people suffering from PTSD, chronic pain, and traumatic brain injury.

Medical marijuana has helped change their lives, and it is not addictive and doesn't kill them the way the abuse of opioids has. Yet the VA, in its infinite wisdom, doesn't even allow VA doctors to talk to veterans about medical marijuana in the States where it is legal.

Our amendment is simple. It would eliminate that prohibition. It wouldn't dispense marijuana on public land. It allowed the VA doctor to work with the patients—the people who know them best.

It passed last year with 40 votes on a bipartisan basis. There were 18 bipartisan cosponsors for the amendment, 9 and 9, Republican and Democrat. It has already passed the Senate by a 3-to-1 margin in committee.

It was actually approved by the House last Congress, but in conference committee, it was stripped out, led by former Senator Kirk. I sincerely believe that one of the reasons he is a former Senator is because Illinois veterans and their families were outraged about that action to reverse what Congress did.

Now we are not even allowed to vote on it. I think that is incomprehensible. I don't think it is fair to our veterans. My friends on the Rules Committee are on the wrong side of history. In Florida, last November, 71 percent of the people voted for medical marijuana.

Our veterans deserve the right to work with their VA physicians to do what is right for them and their families and, hopefully, avoid the epidemic of opioid overdoses, overprescriptions, and not being able to treat them with a methodology that is not highly addictive and not dangerous.

Mr. Speaker, there is no reason on God's green earth that we shouldn't have been allowed to at least vote on this bipartisan amendment to protect our veterans.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to respond very quickly to my good friend from Oregon. I just remind him this is a long and

winding road. It is a long process. As he said, the Senate may very well move in a different direction.

I tend to focus here on veterans' issues as issues that have largely brought us together. Quite frankly, this bill has a very substantial increase in spending at the VA, and that is something that I know, in committee, garnered wide bipartisan support. Let's wait and see where we go.

I just want to say I think there will be continuing discussion about this, but there is also a concern, always, on something like this that is controversial. We have seen our friends do this before. Sometimes you will put an amendment in but you won't vote for the final bill.

When you are trying to calculate whether you pass something, you can't have amendments that cost you votes, that don't get you votes. I am not suggesting that is my friend's purpose. It is not at all. I know it is not. I know he is very sincere in this. I am saying that could easily be the effect.

All I can tell you is we will continue to work through the bill. I suspect when we get there, at the end of the day, this will be a very bipartisan bill. It will pass with a very bipartisan majority.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER) so he may respond.

Mr. BLUMENAUER. Mr. Speaker, I would just say this was an opportunity to bring us together. It passed last Congress on the floor of the House with a 40-vote margin. There is more support now, today, in the public and in the other body.

This was an opportunity to avoid unnecessary controversy, to send a signal to our veterans, to change a destructive policy from the Veterans Administration that is overwhelmingly supported by the American public. If you would have allowed us to vote on the floor of the House, I will guarantee you we would have had even more votes this time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when Speaker RYAN took the gavel, he promised to have "a process that is more open, more inclusive, more deliberative, and more participatory."

My friends like to highlight a number of amendments made in order today as if this is a good process. I would remind you, Mr. Speaker, that, rather than taking up one issue at a time, this is a rule for three appropriations bills. I say to my friends, you guys are worse than you used to be.

There are 10 amendments allowed for the Legislative Branch. Last year you made in order 13. We have fewer amendments this year.

For the Military Construction and Veterans Affairs bill, there are 16 amendments. Just a short time ago, in

fiscal year 2016, we had a modified open rule. This rule is clearly much worse.

We have the same situation with the Energy and Water bill. We have a structured rule this year, while we had a modified open rule just 2 years ago. The process in the House is getting worse.

For the first time in history, we have a Speaker of the House who has never allowed a truly open rule. Now, we were not perfect, Mr. Speaker, but Speaker PELOSI allowed the Rules Committee to report open rules. Speaker Boehner allowed open rules. Every Speaker in modern history allowed some open rules, but we don't even get modified open rules anymore.

Mr. Speaker, we are seeing an alarming rise in the number of self-executing rules, what Republicans used to call "deem and pass rules." Now, let me explain what that is.

In his book, "Young Guns: A New Generation of Conservative Leaders," our dear Speaker, Mr. RYAN, described the self-execution process. This is on page 98, if you are following along. But he called this process, "legislative trickery to enact legislation that does not have majority backing."

Now, sometime today we are going to go back up to the Rules Committee to do a little legislative trickery to fund the President's border wall.

News flash: Mexico is not paying for the wall. The language that the Speaker intends to deem passed without a vote uses good old-fashioned American greenbacks to pay for Trump's wall. The American taxpayers are going to be stuck with this bill for this ridiculous wall.

Mr. Speaker, this process is not good; it is not a better way; it is rotten; and the rule the majority will put on this floor tomorrow will be even worse. We are jamming through these important appropriation bills together, limiting debate, and moving further away from regular order.

□ 1315

We don't need this rule, and we don't need a self-executing rule tomorrow. Now, if we defeat the previous question on this rule, I will offer an amendment to open up this process and consider the Department of Defense, Military Construction and Veterans Affairs, and Energy and Water Appropriation bills each under an open rule.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just conclude with this, Mr. Speaker: Members have a chance to vote for an open amendment process on these appropriations bills. That is what

this PQ vote is about. Republicans will not control this House forever, and I hope that no Member who votes against this open rule amendment today will have the audacity to criticize any future Democratic majorities.

If they do, Mr. Speaker, I assure you, we will remind them of this vote.

To discuss our proposal, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, a lot of Members don't know what a previous question motion is, and that is not really a surprise, because it is usually used to set up some issues, and it is a party-line vote. This is different.

This is different because this would allow amendments to be offered to these appropriations bills. Now, the amendment process in appropriations is one of the few times that Members of Congress have an opportunity to offer an amendment. And it is not just Democrats. It is Republicans, too.

I recall very well—I am a member, I am a co-chair of the Fourth Amendment Caucus. It is Congressman TED POE and myself. And what members of the Fourth Amendment Caucus did was we put together an amendment that actually reformed section 702 of the PATRIOT Act. What it said was you can't query the database accumulated under section 702 without a warrant. It is pretty obvious the Fourth Amendment protects Americans. That passed by a huge bipartisan vote twice. We don't get to offer that amendment this time because it is not an open rule.

So I am just asking that we treat this previous question vote as very different than the usual garden variety previous question vote, because this is different. This isn't about ideology. This isn't about 30-second adds and all that nonsense that we both do. No. This is about having the opportunity—Republicans and Democrats, Members of Congress—to offer an amendment in important areas, especially the Fourth Amendment.

So please vote "yes" on the previous question this time, and let's have open rules. Let's have democracy in America.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to quickly respond to my friends and remind them that it wasn't Republicans that got rid of open rules on appropriations. It was my friends. So you can't set one standard for yourself, and then say: But you now have to go back to the way it was. We now have to be treated as a minority, in contrast to the way that we treated you.

I am sorry, that is just difficult. We actually tried to do that for a couple of years, and we did come back to open rules. And I would still prefer that, to tell you the truth. I have lost this argument in my own conference.

But if my friends will recall, last year on, I believe, the Energy and



Water Appropriations bill, they slipped an amendment in. It was perfectly legitimate for them to do so. It was an open rule. They got that amendment adopted. They did not vote for the bill, even though the amendment was adopted. We lost a lot of votes, in consequence, because of the amendment.

So there is always that calculus when you put these things together. There is a difference between an amendment that is a substantive amendment, and an amendment that is unrelated and a poison-pill amendment. Our side just decided they weren't going to subject themselves to that any longer. I am not sure that I agree with that decision, but that is the reality of where we are.

There is a second consideration here, too, in terms of limitation that I think is worth noting. We are moving under an expedited situation because we began this process late. I want to take responsibility for that on our side of the aisle.

I think all of the appropriations bills could have and should have been finished for FY17 in December of 2016. Instead, we started to allow the new administration to have input. We pushed that off and did a 4-month continuing resolution. During that period, we did not negotiate back and forth. We finally passed a bill in April. So we are moving with exceptional speed.

I think it is pretty remarkable at this point that all 12 appropriations bills have been reported out of committee, and are preparing to go here. Our leadership made, I think, a smart decision, in that there are four that all relate to a common theme of security for the country. Let's get those done. That is sort of first things first.

Let's come back and deal with the other eight in September. It is my hope that that is what we will do, probably in packages again. But we are trying to move quickly.

It is also finally worth noting that, again, this process, compared to the process my Democratic friends followed, is far more open. There are far more amendments now, even under a structured rule like this, than they allowed when they were in the majority on appropriations bills.

We can go get the numbers and count, but we are at least trying to get back to getting the bills to the floor and having a pretty generous latitude for serious amendments. We will always disagree over which ones are made in order. A lot of Republican amendments weren't made in order either, but 72 amendments on an appropriations bill is a lot of amendments.

Hopefully, this process can get better as we go forward. I want to work with my friends in that regard, but I am still very proud of the product that we are presenting and very proud of the number of amendments that are being allowed.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter signed by

a number of civil rights groups, education groups, environmental groups, and women's groups in opposition to this minibus.

JULY 25, 2017.

Re Oppose H.R. 3219 Security Minibus—Vote No on Border wall.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our coalition of almost 90 environmental, faith, immigration, and civil rights organizations, we are writing to strongly urge you to oppose funding for the continued construction of a border wall along the U.S.-Mexico border. The construction of a border wall serves as a symbol of hostility towards immigrants, and undermines the civil rights of communities living along our southern border. It also imposes environmental costs and natural disaster threats on border communities, especially indigenous communities, harms native wildlife and wastes tens of billions in taxpayer dollars.

As the House moves to consider the Fiscal Year 2018 Security Minibus, H.R. 3219, we are profoundly concerned about the inclusion of \$1.6 billion slated for border wall. In addition to spending billions of taxpayer dollars, adding funding for the border wall in this legislative package undermines a fair and transparent legislative process. Instead of allowing legislators and the public to fully consider the impacts of funding wall construction, the Majority is using rushed and underhanded legislative maneuvers to circumvent the vast and legitimate opposition that exists for this measure, even within their own party.

Including border wall funding in a Security Minibus is based on the false premise that our borders are somehow violent and insecure. This false premise has been used to justify and advance anti-immigrant, anti-border, pro-criminalization, and anti-environment legislation that has negative economic and civil rights impacts on border communities. The fact is that communities along the border are some of the safest in the country. According to the FBI's Uniformed Crime Reports, cities on the border are safer than cities away from the border. Places like El Paso, Texas have long topped the lists of safest cities for their low crime and violence. Additionally, according to the American Immigration Council, communities with more immigrants are likely to be safer than places with fewer immigrants.

Border walls are an ineffective tool in curbing undocumented migration between the United States and nations south of the border. Rather than deter migration, the current 650-mile barrier along the U.S.-Mexico border has forced vulnerable migrant populations to pursue more dangerous routes of travel. The continued construction of a border wall portrays an attitude of hatred and animosity towards our neighboring nations. Additionally, construction of this wall would undermine indigenous border communities, potentially destroying elements of their history, archeology, and culture. Border security measures must consider the historic Tribal lands and families occupying the southern border.

Finally, the current proposal in Fiscal Year 2018 Security Minibus calls for the construction of 60 miles of levee border wall in the South Texas Rio Grande Valley; 28 miles would be levee-border wall, with 2.9 miles slated to be built in the Santa Ana Wildlife Refuge. This Refuge is home to diverse wildlife species, ecotourism opportunities, and rich natural beauty. When levee border walls are constructed, they negatively impact wildlife migration, pose severe flooding risks, destroy natural habitats, and lead to

potential increased extinction rates. In order to construct existing border-walls, dozens of laws protecting our environment, public health, and sacred natural lands were waived. Our nation's natural habitats, vibrant wildlife, and healthy ecosystems are an unacceptable sacrifice to make for ineffective security measures.

For all of the above reasons, we strongly urge you to vote NO on the Fiscal Year 2018 Security Minibus, and oppose funding for border walls, levees, or additional infrastructure along the southern border of the United States.

Thank you for your consideration.

Sincerely,

CIVIL RIGHTS

Mi Familia Vota, American-Arab Anti-Discrimination Committee, Southeast Asia Resource Action Center (SEARAC), HONOR PAC, UnidosUS (formerly NCLR), American Civil Liberties Union, Asian Americans Advancing Justice Atlanta, The City Project, National Council of Asian Pacific Americans (NCAPA), League of United Latin American Citizens, EPCF.

COMMUNITY GROUPS

Southern Border Communities Coalition, Indivisible, SER Jobs for Progress National Inc., Junta for Progressive Action, National Black Justice Coalition.

EDUCATION/HIGHER EDUCATION

National Education Association, Hispanic Association of Colleges and Universities (HACU).

ENVIRONMENTAL/ENVIRONMENTAL JUSTICE

Earthjustice, Wildlands Network, Sierra Club, International League of Conservation Photographers, Students for a Just and Stable Future, Earthworks, Friends of the Earth, Environmental Protection Information Center, Turtle Island Restoration Network, Center for Biological Diversity, Jesus People Against Pollution, Food Empowerment Project.

San Juan Citizens Alliance, Ocean Futures Society, SustainUS, Natural Resources Defense Council, Southwest Environmental Center, Conservationist Wilderness Areas Committee, Defenders of Wildlife, Clean Water Action, West Berkeley Alliance for Clean Air and Safe Jobs, NextGen America, La Union Hace La Fuerza, Comité Civico del Valle.

RELIGIOUS/FAITH ORGANIZATIONS

American Friends Service Committee, Frontera de Cristo, Friends Committee on National Legislation, NETWORK Lobby for Catholic Social Justice, Ajo Samaritans, Franciscan Action Network, Franciscan Peace Center, American Friends Service Committee, Reformed Church of Highland Park, Cruzando Fronteras, Southern Arizona Interfaith, Southside Presbyterian Church, Church World Service.

School Sisters of Notre Dame, Mennonite Central Committee U.S. Washington Office, Sisters of Mercy of the Americas—Institute Justice Team, National Justice for Our Neighbors, American Friends Service Committee (AFSC), Maryknoll Office for Global Concerns, Leadership Conference of Women Religious, Columban Center for Advocacy and Outreach, Latino Commission on AIDS, Hispanic Health Network.

HUMAN RIGHTS/WOMEN'S RIGHTS

National Latina Institute for Reproductive Health, OneAmerica, Green Valley/Sahuarita Samaritans, Coalicion Derechos Humanos, National Immigrant Justice Center, No More Deaths, Architects, Designers, Planners For Social Responsibility (ADPSR), Lidia' DelPiccolo—Morris, National Asian Pacific American Women's Forum (NAPAWF), Tucson Samaritans, People Helping People in

the Border Zone, Friends of Broward Detainees.

#### IMMIGRANT RIGHTS

Massachusetts Immigrant and Refugee Advocacy Coalition, Detention Watch Network, Immigrant Legal Resource Center, End Streamline Coalition.

#### LABOR/WORKERS RIGHTS

Asian Pacific American Labor Alliance, AFL-CIO (APALA), Jobs With Justice, Arkansas United Community Coalition.

#### LATINO CIVIL/HUMAN RIGHTS/LATINO LABOR

Hispanic Federation, Labor Council for Latin American Advancement, Latinos for a Secure Retirement.

#### LGBTQ RIGHTS

National Center for Transgender Equality, Equality California, Entre Hermanos.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter signed by 18 environmental groups opposed to H.R. 3219.

JULY 26, 2017.

DEAR REPRESENTATIVE: On behalf of our millions of members, the undersigned organizations urge you to oppose H.R. 3219, the so-called Make American Secure Appropriations Act, 2018, which includes the Defense, Military Construction and Veterans Affairs, Legislative Branch, and Energy and Water funding bills. This package includes provisions that are harmful to water and ocean resources, cuts funding for clean energy innovation, undermines safe nuclear waste storage, and attacks border communities. Furthermore, this bill continues the House Leadership's pattern of adding harmful policy riders into spending bills in an attempt to avoid regular order. Lastly, the inclusion of \$1.6 billion for the continued construction of a failed, divisive, and anti-environmental wall along the southern border of the United States would be the latest example of inserting harmful, controversial and even radical policy proposals onto spending bills, which undermines the legislative process and the already complex budget process. This bill reflects a set of values that is not shared by the American people—one of clean air and clean water, one of equity and prosperity, one of safety and security.

#### BORDER WALL PROVISIONS

The border wall is a powerful symbol of hatred toward immigrants and undermines the civil rights of communities along our southern border, and it would increase the environmental and natural disaster risks to border communities, harm wildlife, and waste billions of taxpayer dollars on an ineffective border security tool. The current proposal would lead to the construction of 60 miles of new border wall to be built in the Rio Grande Valley of Texas, including levee-border walls and 2.9 miles built within the Santa Ana National Wildlife Refuge. This refuge is home to diverse wildlife species, ecotourism opportunities, and rich natural beauty. When levee-border walls are constructed, they negatively impact wildlife migration, pose severe flooding risks, destroy natural habitats, and can increase the risk of wildlife extinctions occurring. In order to construct existing border walls, dozens of laws protecting our environment, public health, and sacred natural lands were waived. Our nation's natural habitats, vibrant wildlife, and healthy ecosystems are an unacceptable sacrifice to make for ineffective security measures.

#### WATER PROVISIONS

The Energy and Water Appropriations division includes damaging policy riders and report language in contravention of regular order. Specifically, Sec. 108(a) aims to allow

the Trump administration to disregard countless laws as it carries out a scheme to undermine clean water safeguards. The provision would authorize EPA and the Army Corps to repeal the Clean Water Rule without following basic and longstanding processes aimed at giving people a voice in their government's actions. For instance, a repeal could ignore Clean Water Act and Administrative Procedure Act requirements to meaningfully consider public comment. It could also interfere with the courts' ability to review if the withdrawal is "arbitrary or capricious." This fact reveals the real motivation for the rider—its proponents want to shield the Trump administration's repeal of carefully-developed clean water protections from public scrutiny and from independent judicial review. Without the Clean Water Rule, the streams that help supply public drinking water systems serving one in three Americans will remain at risk.

Additionally, Sec. 107 would exempt certain discharges of dredged or fill material from Army Corps' permitting under the Clean Water Act. The Act already exempts these kinds of activities from such permits, but requires permitting when the impacts to waterways would be more harmful. This rider would have the effect of nullifying Congress's direction to subject those non-exempt discharges to pollution control officials' review. Another rider would undermine the restoration of the San Joaquin River, the second longest river in California. Sec. 203 would prohibit spending any funds to implement the legal settlement between the United States, fishing and conservation groups, and Friant water users regarding the restoration of the river. The settlement ended 20 years of litigation and continues to be supported by water users, conservation and fishing groups, and state and federal governments.

Finally, the bill also includes a provision to halt implementation of the National Ocean Policy (Sec. 505), an important planning tool to coordinate the work of dozens of federal and state agencies with overlapping and sometimes conflicting responsibilities for addressing ocean development. These riders, and any further damaging policy provisions that will be offered, undercut the public process for determining how to implement the laws that Congress has passed. They are bad policies that will put Americans' health and safety at risk and they have no place on a funding bill.

#### ENERGY PROVISIONS

The bill also dramatically cuts federal clean energy spending, which has consistently proven its worth by directing RD&D funds that drive job creation, economic growth and reduce health and environmental costs. The committee bill cuts funding for the Office of Energy Efficiency and Renewable Energy by \$1 billion (48% reduction) hurting important programs that support the development and deployment of wind energy, solar energy, advanced manufacturing, sustainable transportation technologies, and building technologies. Recklessly, the bill eliminates funding for the Advanced Research Projects Agency—Energy (ARPA-E) and the Title 17 loan guarantee program. Defunding ARPA-E cripples our ability to commercialize new technologies that will serve to meet our future clean energy needs. Furthermore, the Title 17 loan guarantee program has a strong track record of lowering the risks on deploying projects that can make cleaner and cheaper energy a reality.

The bill also includes \$120 million in a continued attempt to push the unworkable, long ago rejected proposal to dispose of nuclear waste in Yucca Mountain, Nevada. It also in-

cludes a rider in Sec. 507 that prevents funds being used to close the facility. Decades from now others will face the precise predicament we find ourselves in today if Congress tries to ram through unworkable nuclear waste solutions contentiously opposed by States, lacking a sound legal structure of science-based foundation, and devoid of public understanding and consent. The current efforts to quickly open Yucca Mountain and an interim storage facility simply will not work.

This bill also rejects the sensible plan to cancel the risky and enormously costly mixed oxide (MOX) program, intended to dispose of excess plutonium from the U.S. nuclear weapons program by turning it into nuclear reactor fuel. Instead this bill mandates that the Department of Energy waste an additional \$340 million on construction of the MOX fuel fabrication plant. Congress should reject the MOX program and support an improved approach for disposing of excess plutonium.

We strongly oppose this minibus package, which would put our energy future at risk and would harm border communities, and it includes poison pill riders that will harm our nation's public health, air, water, lands, and wildlife. We also urge opposition to any amendments that would harm health and the environment.

Sincerely,

Alaska Wilderness League, Clean Water Action, Defenders of Wildlife, Earthjustice, Environment America, Environmental Protection Information Center, Klamath Forest Alliance, League of Conservation Voters, Natural Resources Defense Council, NextGen, Public Citizen, Restore America's Estuaries, San Juan Citizens Alliance, Save EPA, Sierra Club, Western Environmental Law Center, Western Watersheds Project, Wildlands Network.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from the Coalition on Human Needs against this minibus.

#### COALITION ON HUMAN NEEDS,

Washington, DC, July 25, 2017.

DEAR REPRESENTATIVE: On behalf of the Coalition on Human Needs, I strongly urge you to vote against the package of military-related appropriations bills expected to come to the House floor this week. These appropriations bills—including those for Defense, Military Construction and Veterans' Affairs, Legislative Branch, and Energy and Water—should not be taken up until there is a bipartisan agreement to lift the sequestration caps called for in the Budget Control Act in a way that provides for increased funding for domestic and international (non-defense discretionary, or NDD) appropriations, not just for the military.

As you know, defense appropriations exceed the Budget Control Act cap for FY 2018 by \$72 billion. Without legislation to raise the caps, sequestration will eliminate that increase through across-the-board cuts to military programs. Legislation to lift the caps requires bipartisan support, and we expect that support will not be forthcoming without an agreement to raise the caps for non-defense discretionary spending as well.

The Coalition on Human Needs, which is made up of organizations representing millions of human service providers, faith organizations, policy experts, civil rights, labor, and other advocates concerned with meeting the needs of low-income and vulnerable people, strongly believes that our national security depends on a balanced approach that invests in our domestic needs. Our people gain economic security from access to education and training, affordable housing, a reliable and modern infrastructure, and child care



and other work supports. We need public health protections from epidemics and environmental protections to ensure clean air and water and to protect against climate disasters. Stopping the erosion in domestic human needs programs is necessary for our security and our future. NDD programs apart from Veterans Affairs will be cut by \$22 billion in FY 2018, 5 percent below the previous year and 17 percent below the level in FY 2010, taking inflation into account. This harsh cut abandons previous congressional commitments to provide defense and non-defense programs with equal relief from sequestration. We urge you to vote against this package of defense-related bills because they should not be considered without a comprehensive agreement to lift the caps for all the programs that contribute to our security.

We also ask you to vote against this package of appropriations bills because it includes wasteful funding for the border wall that will not increase our security, and to oppose extraneous and irresponsible policy riders such as those restricting opportunities for young people in the Deferred Action for Childhood Arrivals program to enter the military or weakening the Congressional Budget Office.

Please vote no on this package of appropriations bills, and instead make it a top priority to achieve a bipartisan agreement to lift sequestration caps for non-defense programs, not solely for the military.

Sincerely yours,

DEBORAH WEINSTEIN,  
*Executive Director.*

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter to my colleagues from AFSCME opposed to this bill.

AFSCME,  
*Washington, DC, July 24, 2017.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC.*

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to oppose the "Minibus" appropriations bill which packages together the Defense, Military Construction and Veterans' Affairs, Legislative Branch, and Energy and Water funding bills.

Congress should not craft funding bills that unilaterally violate the Budget Control Act (BCA) and the parity principle. In this case, defense is increased far above the cap while non-defense discretionary (NDD) spending is severely underfunded. In fact, passing this bill will not promote American security; rather it charts a direct course for deep cuts to the military. The defense funding levels would trigger sequestration in January of 2018, requiring cuts of \$72 billion. Further, dramatically increasing only defense funding endangers investments in essential public services. This is evidenced by House Appropriations bills' deep cuts of \$5 billion below the current non-defense caps and deep cuts that harm labor, health, human services, education, housing, transportation and other important programs. Instead of reaching a bipartisan agreement as called for by many members of Congress, this bill makes it harder to address urgent needs in other non-defense programs.

A budget deal remains the most likely path toward enactment of appropriation bills that responsibly meet the nation's national security commitments and domestic needs. AFSCME urges Congress to focus attention on a budget solution that provides commensurate increases for both defense and non-defense funding. This is the best way to avoid a fall budget showdown that would leave defense and all government programs, includ-

ing state and local governments, in the lurch with considerable budget uncertainty and the threat of deep and damaging cuts.

We also oppose this minibus package, because it includes poison pill riders. This bill creates a new level of egregious riders by air-dropping in controversial funding for a border wall that is unrelated to any of the four bills.

It's time to address the most basic of congressional responsibilities, which means passing clean funding bills in a timely manner under regular order.

Sincerely,

SCOTT FREY,  
*Director of Federal Government Affairs.*

Mr. MCGOVERN. Mr. Speaker, finally, I include in the RECORD a letter sent to my colleagues in opposition to this bill from American Federation of Teachers.

AMERICAN FEDERATION OF TEACHERS,  
*Washington, DC, July 26, 2017.*  
HOUSE OF REPRESENTATIVES,  
*Washington, DC.*

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of Teachers, I write to express our strong opposition to the Make America Secure Appropriations Act, 2018 (H.R. 3219), the fiscal year 2018 appropriations "minibus" bill that bundles together the appropriations bills for defense, energy and water development, military construction, Veterans Affairs and the legislative branch. We oppose this bill because it moves in the wrong direction by failing to lift the sequester caps in a manner that maintains parity between defense and nondefense discretionary funding, and by including ideological poison pill riders.

Our national security is critical, but it requires investments that help working families seize the opportunities they need and deserve, and appropriations bills must invest in critical public services that enable these opportunities. Sequester caps have unduly restricted these kinds of foundational investments; without removing arbitrary caps, crucial investments will suffer. Yet instead of working toward a bipartisan deal to lift these punitive funding caps in a way that treats nondefense discretionary funding equitably, the speaker is moving forward with a minibus package that promotes a strategy to drastically cut nondefense programs as a means to increase defense funding. This must not be an either-or choice: National security requires strength at home and opportunities for our next generation, not the elimination of the funding they need to create those opportunities.

In addition, the well-being of the nation is further undermined in this bill by the inclusion of ideological poison pill policy riders. We particularly object to the inclusion of funding for an ill-conceived and mean-spirited border wall that is unrelated to any of the four appropriations bills included in the minibus.

As the defense portion of this bill violates the Budget Control Act, the increases in funding proposed by this bill are imaginary. The cuts this bill proposes are not.

I urge you to reject this bill and work to raise the sequester caps, to allow balanced funding bills—ones that adequately invest in the health, safety and education of our nation, and do not include ideological poison pill policy riders—to move forward. Until this has been accomplished, we urge you to oppose this bill.

Sincerely,

RANDI WEINGARTEN,  
*President.*

Mr. MCGOVERN. Mr. Speaker, let me just say to my good friend from Okla-

homa: The Republicans presided over the most closed Congress in history in the last session. In history. And this year you are on your way to beating that record.

The gentleman talks about exceptional speed in which we are moving these appropriations bills to the floor. I am not so much impressed with exceptional speed when it comes to the spending of billions of taxpayer dollars. I want to make sure we get it right. That is why we are asking for an open process.

The gentleman talked about poison pills. Let me go back to the Barbara Lee AUMF amendment. I hardly consider that a poison pill when it was unanimously approved in the Appropriations Committee, and the gentleman even voted for it.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, vote against the rule, vote against the bill. But the bill does contain one provision that I want to applaud the committee for including, and that is section 8907, which states: "None of the funds made available by this act may be used in contravention of the War Powers Act."

I first proposed this language in 2011. It failed at first, but now it has been included in every Defense Appropriations bill since FY12. It is necessary to enforce the War Powers Act because every Attorney General since the 1970s has advised Presidents that the War Powers Act isn't binding on the President, and that the President can send unlimited numbers of troops anywhere in the world to fight any battle without a declaration of war.

That is why we need this language, because Attorney General Mukasey, a Republican Attorney General, testified before the Foreign Affairs Committee yesterday that by including this language in the appropriations bill, Congress enforces the War Powers Act and its proper role in international affairs.

I thank the committee for including this language.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I certainly would never expect my friend to vote for the rule. I mean, I don't think I have ever voted for a Democratic rule. I know very few Democrats have ever voted for our rules. I don't think I know any. So that is kind of a normal part of the Chamber.

I want to commend the gentleman for getting that language into the bill. Again, I respect the gentleman's right to not vote for the bill. It is a big bill. There are lots of different things in it.

But I think he makes an important point, indirectly, that there are lots of overlapping things where we do agree inside this bill. My friends are certainly free to vote "no," and I suspect many will.

There are many occasions in a bill like this, particularly related to defense and particularly related to veterans, where the component parts actually have enormous bipartisan support.

That is certainly true in the Veterans Administration. It is certainly true with the gentleman's provision that he has gotten in now successive bills even under Republican Congresses.

I want to commend him for his work in that regard. I agree very much with his intention. My friend from Massachusetts and I may have some differences on this and that process, but that is another person that I agree with in terms of the War Powers Act and in terms of trying to get a new AUMF and reclaim congressional power.

I actually think, strangely enough, even though we disagree on this, that this bill starts us maybe down that road again by requiring the administration to submit a report to justify legally where we are at and why, to tell us the strategy, to lay out the costs.

I commend my friend, the chairman of the Foreign Affairs Committee, Mr. ROYCE, for holding a hearing on that. I see us moving back in that way toward regular order and, hopefully, toward common ground.

Again, I understand my friend's objections, even when I don't agree with him. But I also thank my friend from California for pointing out that there are parts where we do agree. They are important, and they are incorporated in this bill. Maybe we can make it better in the amendment process.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I include in the RECORD a letter from Amnesty International rejecting the border wall funding.

AMNESTY INTERNATIONAL,  
Washington, DC, July 26, 2017.

AMNESTY INTERNATIONAL USA URGES HOUSE TO REJECT SOUTHERN BORDER WALL FUNDING

DEAR REPRESENTATIVE: On behalf of Amnesty International USA and our more than one million members and supporters nationwide, we strongly urge you to reject any and all requests included in H.R. 3219 (Department of Defense Appropriations Act, 2018 AKA Make America Secure Appropriations Act, 2018) for the funding of a southern border wall. The construction of such a wall would pose serious human rights consequences and would violate international law and standards in two major ways.

First, Congress should not approve funding for a wall that will cut through tribal land unless the U.S. government first obtains the free, prior, and informed consent of affected Nations, as prescribed by Article 19 of the United Nations ("UN") Declaration on the Rights of Indigenous Peoples. The U.S. must consult in good faith with Native American Nations who would be impacted by the construction of the proposed wall. The National Congress of American Indians and the Legislative Council of the Tohono O'odham, the second-largest tribe in the United States by land holdings, have both passed resolutions opposing the construction of the wall without tribal consent. Without the free, prior, and informed consent of affected Native American Nations, the House cannot approve border wall funding without violating the UN Declaration on the Rights of Indigenous Peoples.

Second, the construction of a border wall risks escalation of the already serious viola-

tions experienced by asylum seekers seeking to enter the U.S. In order to provide a fair asylum process, the U.S. must ensure the existence of sufficiently located, secure, regulated border crossing points for asylum seekers. This is essential to ensure that the U.S. government does not violate the principle of non-refoulement, which is enshrined in the 1951 UN Convention Relating to the Status of Refugees and binding on States Party to the 1967 Protocol.

Amnesty International strongly urges you to reject funding for a southern border wall, in order to uphold U.S. obligations with respect to Native Americans and arriving asylum seekers.

Sincerely,

JOANNE LIN,  
Senior Managing Director, Advocacy  
and Government Relations.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter opposing the funding for the wall from the League of United Latin American Citizens.

LEAGUE OF UNITED LATIN  
AMERICAN CITIZENS,  
Washington, DC, July 19, 2017.

House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the League of United Latin American Citizens (LULAC), the nation's oldest and largest Latino civil rights organization, I write to oppose any legislative attempts to keep funding the construction of a wall on the U.S.-Mexico border, the expansion of a Trump deportation force, and the increase of detention beds in immigrant incarceration centers.

As the House moves to consider the Fiscal Year 18 Department of Homeland Security Appropriation bill, and other security related bills, LULAC is deeply concerned about language that would provide billions for the construction of a costly and divisive wall along the Southern border, as well as hundreds of millions to hire a deportation force and expand immigrant incarceration.

The continued criminalization of immigrants, militarization of the border, and rush to build a costly, ineffective, and destructive wall on the U.S.-Mexico border are aims of radical politicians seeking to advance a xenophobic, anti-Latino agenda in this Congress. Unfortunately, this administration has failed to focus on legitimate staffing concerns at ports of entry, rebuilding port infrastructure, and protecting the land, water, and environment of the border. Instead, it is looking to seize the private property of border residents, destroy the natural habitat and wildlife in border communities, endanger border water supplies, and turn immigrant neighbors, families, and children into criminals who merit incarceration and deportation.

The House of Representatives should not enable these aims and should oppose any language seeking to advance the radical right-wing agenda of demonizing border communities and scapegoating immigrants. LULAC opposes any DHS appropriation bill, or any other appropriation vehicle, that funds border walls/levees, the hiring of Trump's deportation force and the continued expansion immigrant incarceration.

Sincerely,

ROGER C. ROCHA, Jr.,  
LULAC National President.

Mr. MCGOVERN. I include in the RECORD a fact sheet by the Washington Office on Latin America entitled: "Key points about the \$1.6 billion border wall."

JULY 24, 2017.

Please find below a rigorously sourced analysis of the \$1.6 billion in funding for a wall along the U.S.-Mexico border. The border wall funding is expected to be attached to the appropriations "minibus" in the Rules Committee later this week.

As a leading research and advocacy organization with years of field research and experience working on migration and border security issues, WOLA (the Washington Office on Latin America) outlines a number of reasons why this proposal will be costly, ineffective, and divisive.

WOLA believes that these are overwhelming reasons to oppose President Trump's request for a border wall and to vote against its inclusion in a bill claiming to fund national security. Regardless of party, it is clear that \$1.6 billion spent to start building the wall is money wasted.

Please don't hesitate to reach out to me if you have any questions or would like more information.

Best regards,

ADAM ISACSON.

[From the Washington Office on Latin  
America, July 24, 2017]

KEY POINTS ABOUT THE \$1.6 BILLION BORDER  
WALL

A COSTLY, INEFFECTIVE, AND DIVISIVE BORDER WALL DOESN'T BELONG IN A "NATIONAL SECURITY" APPROPRIATION

The House of Representatives is rushing to the floor four Fiscal Year (FY) 2018 appropriations bills related to national security, which will be combined into a so-called "minibus." In addition, the House Republican leadership is expected to carve out the most controversial part of the Homeland Security appropriations bill—President Trump's full request to fund the border wall—and use a procedural maneuver in the Rules Committee to attach it to this week's funding bill. Along with money for our military, veterans, and other defense-related items, the House is expected to consider \$1.6 billion to start building President Trump's proposed border wall.

THE BORDER WALL WOULD BE COSTLY

The bill would fund the Trump administration's full request for \$1.6 billion to build 60 miles of new border wall and fortify 14 miles of existing wall. That comes out to \$21.2 million per mile. This is more than four times the \$4.84 million per mile cost of fencing built since 2011.

At the rate proposed by President Trump, building additional fencing along the 1,317 border miles that lack it would cost \$28 billion. And that figure doesn't count the cost of building in more difficult terrain, access roads, maintenance, or acquiring land in Texas, where almost all border landholdings are privately held.

Building the wall carries a huge opportunity cost. \$1.6 billion could support many more important border security priorities. These include upgrading and hiring more personnel for ports of entry, the main vector for illegal drugs. The ports have \$5 billion in unmet infrastructure needs. They could include more technology so that border-security agencies have a better idea of what is happening along the border. This would make continued National Guard deployments unnecessary. They could include greatly increased investment in moving costs and bonuses for Border Patrol agents who agree to relocate from quieter border sectors to busier ones in need of manpower.

THE BORDER WALL WOULD BE INEFFECTIVE

The proposed border wall will not stop drug trafficking. To understand drug trafficking across the U.S.-Mexico border, it's first necessary to understand the difference

between “ports of entry”—the 44 official land border crossings—and the vast spaces between them, where fencing exists or where Trump’s wall would be built. The ports of entry are where U.S. border authorities seize the majority of heroin and opioids, methamphetamine, and cocaine. “The big issue, really, right now on drugs coming into the United States is the ports of entry,” Homeland Security Secretary John Kelly told a Senate committee in April. Building a wall would have no effect on smuggling at ports of entry.

Meanwhile, in the rural border areas where the White House proposes to build, a wall really isn’t much of a barrier. It slows individuals down for the 10 or 15 minutes it takes to climb over. In a populated area, where authorities can respond quickly, that 10 or 15 minutes makes a big difference. But almost all of these areas already have high fences, because of the hundreds of miles of building that followed the Secure Fence Act of 2006. In emptier areas, reducing a border crosser’s head start by 10 to 15 minutes is hardly a deterrent—and in Texas, the Rio Grande already serves that purpose.

#### THE BORDER WALL WOULD BE DANGEROUS

More wall-building could have tragic consequences. Violence, poverty, and family ties ensure that migrants will continue attempting the risky journey through the border region’s inhospitable wilderness zones. Every year, U.S. authorities find the remains of hundreds of migrants, dead of dehydration and exposure in deserts and scrublands. With more fencing, migrants may attempt the crossing in even more remote areas, where the probability of death will be even higher.

#### THE BORDER WALL WOULD BE DIVISIVE

Building a wall sends a toxic message to one of our two closest neighbors, a country on whose cooperation the United States’ national security and economic prosperity depends. Mexico is the United States’ third-largest trading partner. Our common border is 1,970 miles long. Mexico collaborates on efforts to guard against extra-regional terrorists hypothetically using its territory to enter the United States. After 12 years of steadily declining migration, more Mexican citizens leave the United States than enter it each year. In January, it extradited its most notorious drug lord to the United States.

It makes no sense to undermine this relationship by building a permanent barrier along our border with Mexico. It makes no sense to jeopardize badly needed cooperation by portraying Mexico as a sinister source of threats that should foot the bill for the wall (which, the 2018 appropriation makes clear, it will not have to do). Mexico certainly has problems, particularly corruption and human rights abuse. But these are aspects of the relationship the United States must work on, rather than push Mexico away with an aggressive construction project.

#### THE BORDER WALL SHOULD BE REJECTED

WOLA believes that these are overwhelming reasons to oppose President Trump’s request for a border wall and to vote against its inclusion in a bill claiming to fund national security. Regardless of party, it is clear that \$1.6 billion spent to start building the wall is money wasted. Let’s stop this now before it becomes even larger, more costly, more counterproductive, and more divisive.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD an NBC News article on how the border wall is being planned to decimate the National Butterfly Center in the wildlife corridor of the lower Rio Grande Valley.

[From NBC News, July 26, 2017]

#### BORDER WALL PUSH CREATES FLAP IN HOUSE—AND AT THE NATIONAL BUTTERFLY CENTER

(By Suzanne Gamboa)

WASHINGTON.—A national butterfly preserve is the latest flashpoint in the border wall debate as Democrats accuse the GOP of rigging the process to slip wall funding into a pack of House spending bills possibly up for a vote this week.

While there are not specific details on exactly where the \$1.6 billion proposed for President Trump’s border wall will be spent, an amendment sponsored by Rep. JOHN CARTER, R-Texas, calls for \$498 million to go to 28 miles of “new bollard levee wall” in Hidalgo County in Texas’ Rio Grande Valley—home to the National Butterfly Center.

The amendment also calls for \$251 million to repair secondary border fencing in the San Diego area and \$38.2 million for planning future border wall construction. Another \$784 million is for 32 miles of “border bollard fencing” in Starr County, Texas, also in the Rio Grande Valley.

The butterfly center’s executive director Marianna Treviño Wright said she found a work crew on the butterfly center’s property last week, and she worried that their efforts might be related to construction of the proposed border wall. The workers had chain saws and work trucks and had cut and shred brush, trees and plants, she said. Treviño Wright said she found surveyor stakes and “X” marks on the property. She posted photos on the center’s web site and Facebook page.

The 100-acre center is part of the wildlife corridor of the lower Rio Grande Valley, which is a migratory flyway for birds, butterflies and a host of other wildlife. The center’s property already is bisected by earthen levees. Two thirds of the property is below the levee, Treviño Wright said.

“The property we have acquired here used to be a commercial onion farm and we have spent the last 15 years fundraising for our efforts and growing plants and purchasing materials to revegetate this area, to plant native, host and nectar plants and provide breeding and feeding areas to support wildlife, especially butterflies,” she said.

“We do have folks who come from around the state, nation, world for the birds and butterflies and other things we have here on the property. Sometimes people show up looking for indigo snakes,” Treviño Wright said.

In a previously issued statement, the Army Corps of Engineers denied that its contractors cleared or removed trees at the center, but acknowledged the crew placed X markings on the ground for mapping and wooden stakes flagging proposed locations to bore holes for possible construction. The agency said its contractor collected two soil samples from the levee but did so away from the butterfly center.

Neither U.S. Customs and Border Protection, the Army Corps of Engineers, nor other agencies have outlined plans for the proposed border wall on the center property.

Still, Treviño Wright and her supporters worry about what the center called on Facebook the “government secret activity on our property.”

There also is angst over the possibility of border wall construction in another refuge along the Rio Grande—the San Ana Wildlife Refuge. It is considered the “crown jewel” of wildlife refuges and one of the nation’s top birding spots. The Texas Observer first reported that crews were taking core samples, setting off a reaction among birders who flock to the spot that boasts 400 species of birds.

The American Birding Association put out a plea to its members to write and call their members of Congress asking that they stop construction of the wall.

Carlos Diaz, a spokesman for Customs and Border Protection, told NBC News he did not have information on what plans or hopes there are for putting fencing or a wall on the butterfly center’s property or the Santa Ana Refuge.

In a previously issued news release following a meeting with Rio Grande Valley mayors last week, Customs and Border Protection and the Army Corps of Engineers said in a news release they are conducting research activities in areas slated for construction of new or replacement border wall, with \$20 million in reprogrammed funds approved by Congress.

Also money provided for fiscal 2017 is being used to replace pedestrian barriers in San Diego and El Centro, California; replace vehicle barriers and pedestrian barriers in El Paso, Texas and install 35 new gates at gaps in border fencing built already in the Rio Grande Valley, according to Army Corps of Engineers information provided by Diaz.

In a hearing Monday held by the U.S. House Rules Committee, Rep. Jim McGovern, D-Mass., pointed out that American taxpayers are footing the tab for the border wall work, not Mexico as Trump had promised. That’s a point that should be debated and could be if the border wall funding was given it’s own vote, he said.

“This is a rigged process,” McGovern said.

With Congress closing in on a summer recess, the House is trying to push through a batch of four spending bills the GOP has said are critical for security. But the GOP plan to include \$1.6 million for 74 miles of President Donald Trump’s border “wall” means those who oppose the border wall funding have to vote against the military spending.

Rep. Pete Sessions, R-Texas, who chairs the Rules Committee, said Monday he made the amendment providing the border wall money “self-executing,” setting up the dilemma for opponents of the wall funding.

“You are dadgum right I put it in there,” Sessions said.

“We are going to comply with allowing the president to have things he wants also,” he said.

Rep. Ruben Gallego, D-Ariz., called the move “sneaky” and said House Speaker Paul Ryan and GOP House members were doing Trump’s “dirty work.”

“They want to make sure Trump can build his wall, but they also want desperately to avoid a clean up or down vote on the issue,” Gallego told reporters in a call Monday.

Ashlee Strong, a spokeswoman for Ryan, said in an email that House and Senate Republicans’ agenda includes a commitment to increased border security “and we are following through on that promise.”

Mr. MCGOVERN. Mr. Speaker, process matters. And I have come to the conclusion, after having served here for some time now, that a lousy process leads to a lousy product and lousy legislation.

I know many of my colleagues were moved, like I was yesterday, when Senator JOHN MCCAIN appeared on the Senate floor and not only engaged in Senate business, but actually gave a very eloquent, passionate speech.

I want to quote Senator MCCAIN from yesterday. He said: “Let’s return to regular order. We’ve been spinning our wheels on too many important issues because we keep trying to find a way to win without help from across the aisle.”

That's an approach that's been employed by both sides, mandating legislation from the top down, without any support from the other side, with all the parliamentary maneuvers that requires.

"We're getting nothing done."

I agree with Senator MCCAIN, and I believe that a majority in this House, Democrats and Republicans, agree with Senator MCCAIN. But at some point we have to stop saying: "Well, we will get better. We will get better. It will be better next time. It will be better next time."

Because what is happening is, it is getting worse each time we bring legislations or appropriations to the floor. We are getting more and more restrictive. We are shutting out more and more voices, not just Democratic voices, but Republican voices as well.

This is a deliberative body. We ought to be able to deliberate a little bit. And both Democrats and Republicans have good ideas. Let us use this opportunity to change things, to go back to the regular order that Senator MCCAIN talked so eloquently about yesterday.

There is an opportunity to do that. It doesn't stop us considering the appropriations bills, but what it says is that we will do so under an open rule. We will go back to the way we all say we want it to be, an open process.

If you like some of these amendments, you vote for them. You make this legislation better. If you don't like the amendments, then you vote against them. I mean, that is the way this body is supposed to operate; none of this underhanded, self-executing of controversial provisions that may not have the support of the majority in this House.

Let's go back to regular order. This is the moment. This is a defining moment.

□ 1330

Democrats and Republicans, if you really mean it when you say you want regular order, then you have to vote for regular order once in a while. You can't keep on making excuses. I think this is the moment that we have on these appropriations bills to send a message to the leadership that we want things done differently here. We want to open things up. I think that is what the majority on both sides really want. But the question is whether or not we all have the guts to vote for an open process. So we have an opportunity to do that.

Mr. Speaker, I urge my colleagues to defeat the previous question so we can bring this legislation up today under an open rule. Let everybody offer their amendments. Let's bring it up. Let's do this today. No more excuses.

If you mean what you say when you say you want regular order, this is the opportunity to vote for it. So please vote "no" on the previous question. And I oppose the underlying bill. Maybe I won't if we can fix it through regular order. Maybe we can add a number of amendments, and even I

would support some of these amendments.

Let's give it a chance. Let's work in a bipartisan way. Let's go back to the days when we did have open rules on appropriations. This is the opportunity to do it. Vote "no" on the previous question.

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

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank, as always, my good friend for a spirited and thoughtful debate. He always makes good points. Frankly, I always find myself more comfortable when we are on the same side—as we occasionally are—than when we are on opposite sides.

My friend has made many valuable contributions to this institution, particularly pushing us relentlessly in the right direction of reclaiming our war-making authority. Having said that, it is always great to call for a new system, a new way, or a return to open rules without admitting you are the ones that abandoned them. We actually tried to restore them. I regret we failed in that, quite frankly, but I will have to say both sides have gotten used to not doing open rules because they don't want to cast tough votes. That is why my friends abandoned the open rule process when they were in the majority in 2009, and, honestly, that is why we abandoned it last year.

I regret that. I will work with my friend probably not today but going forward in trying to reclaim that because I think when we lost it, we diminished the power of every individual Member in Congress. We thought we were protecting them, but the reality is they now can no longer come to the floor as an individual and present their own idea.

But at least in this case there are 72 amendments. The majority of them are from my friend's side of the aisle. I would hope going forward, particularly when we consider the next eight appropriations bills, we will continue to be very generous in that regard.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. H.R. 3219 represents the first step toward fulfilling our primary obligation as Members of Congress: to fund the government.

We should all be proud of what we have accomplished in putting this bill forward.

The bill contains the provisions of four of the bills passed out of the Appropriations Committee representing the work of the Subcommittees on Defense; Energy and Water Development, and Related Agencies; Legislative Branch; and Military Construction, Veterans Affairs, and Related Agencies.

The bill will significantly increase funding for national defense and ensure that the men and women in the Armed Forces have the tools they need. We also increase funding to our veterans to ensure our fighting men and women

will be taken care of long after they leave the service of their country, and we fund key Member priorities in the areas of Energy and Water Development, and Related Agencies; and Legislative Branch.

Mr. Speaker, I applaud my colleagues for their hard work.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 473 OFFERED BY  
MR. MCGOVERN

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 2. At any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2998) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When

the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. At any time after the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3266) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3219, H.R. 2998, or H.R. 3266.

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated

the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is ENTITLED to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 230, nays 193, not voting 10, as follows:

[Roll No. 414]

YEAS—230

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington

Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton

Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black

Blackburn  
Blum  
Bost  
Brady (TX)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris

Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Mast  
McCarthy  
McCauley  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Paulsen  
Pearce  
Perry  
Pittenger

NAYS—193

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)

Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings

Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez

Hanabusa	Maloney,	Ryan (OH)	Bishop (UT)	Handel	Pittenger	Green, Gene	Lujan Grisham,	Ruppersberger
Hastings	Carolyn B.	Sánchez	Black	Harper	Poe (TX)	Grijalva	M.	Rush
Heck	Maloney, Sean	Sarbanes	Blackburn	Harris	Poliquin	Gutiérrez	Luján, Ben Ray	Ryan (OH)
Higgins (NY)	Massie	Schakowsky	Blum	Hartzler	Posey	Hanabusa	Lynch	Sánchez
Himes	Matsui	Schiff	Bost	Hensarling	Ratcliffe	Hastings	Maloney,	Sarbanes
Hoyer	McCollum	Schneider	Brady (TX)	Herrera Beutler	Reed	Heck	Carolyn B.	Schakowsky
Huffman	McEachin	Schrader	Brat	Hice, Jody B.	Reichert	Higgins (NY)	Maloney, Sean	Schiff
Jackson Lee	McGovern	Scott (VA)	Bridenstine	Higgins (LA)	Renacci	Himes	Massie	Schneider
Jayapal	McNerney	Scott, David	Brooks (AL)	Hill	Rice (SC)	Hoyer	Matsui	Schrader
Jeffries	Meeks	Serrano	Brooks (IN)	Holding	Roby	Huffman	McCollum	Scott (VA)
Johnson (GA)	Meng	Sewell (AL)	Buchanan	Hudson	Roe (TN)	Jackson Lee	McEachin	Scott, David
Johnson, E. B.	Moore	Shea-Porter	Buck	Huizenga	Rogers (AL)	Jayapal	McGovern	Serrano
Jones	Moulton	Sherman	Bucshon	Hultgren	Rogers (KY)	Jeffries	McNerney	Sewell (AL)
Kaptur	Murphy (FL)	Sinema	Budd	Hunter	Rohrabacher	Johnson (GA)	Meeks	Shea-Porter
Keating	Nadler	Sires	Burgess	Hurd	Rokita	Johnson, E. B.	Meng	Sherman
Kelly (IL)	Neal	Slaughter	Byrne	Issa	Rooney, Francis	Jones	Moore	Sires
Kennedy	Nolan	Smith (WA)	Calvert	Jenkins (KS)	Rooney, Thomas	Kaptur	Moulton	Slaughter
Khanna	Norcross	Soto	Carter (GA)	Jenkins (WV)	J.	Keating	Murphy (FL)	Smith (WA)
Kihuen	O'Halleran	Speier	Carter (TX)	Johnson (LA)	Ros-Lehtinen	Kelly (IL)	Nadler	Soto
Kildee	O'Rourke	Suoizzi	Chabot	Johnson (OH)	Roskam	Kennedy	Neal	Speier
Kilmer	Pallone	Swalwell (CA)	Cheney	Johnson, Sam	Ross	Khanna	Norcross	Suoizzi
Kind	Panetta	Takano	Coffman	Jordan	Rothfus	Kihuen	O'Halleran	Swalwell (CA)
Krishnamoorthi	Pascrell	Thompson (CA)	Cole	Joyce (OH)	Rouzer	Kildee	O'Rourke	Takano
Langevin	Payne	Thompson (MS)	Collins (GA)	Katko	Royce (CA)	Kilmer	Pallone	Thompson (CA)
Larsen (WA)	Pelosi	Titus	Collins (NY)	Kelly (MS)	Russell	Kind	Panetta	Thompson (MS)
Larson (CT)	Perlmutter	Tonko	Comer	Kelly (PA)	Rutherford	Kind	Pascrell	Titus
Lawrence	Peters	Torres	Comstock	King (IA)	Sanford	Krishnamoorthi	Payne	Tonko
Lawson (FL)	Peterson	Tsongas	Conaway	King (NY)	Schweikert	Kuster (NH)	Pelosi	Torres
Lee	Pingree	Vargas	Cook	Kinzingler	Scott, Austin	Langevin	Perlmutter	Tsongas
Levin	Pocan	Veasey	Costello (PA)	Knight	Sensenbrenner	Larsen (WA)	Peters	Vargas
Lewis (GA)	Polis	Vela	Cramer	Kustoff (TN)	Sessions	Larson (CT)	Peterson	Veasey
Lieu, Ted	Price (NC)	Velázquez	Crawford	Labrador	Shimkus	Lawrence	Pingree	Vela
Lipinski	Quigley	Visclosky	Culberson	LaHood	Shuster	Lawson (FL)	Pocan	Velázquez
Loeb sack	Raskin	Walz	Curbelo (FL)	LaMalfa	Simpson	Lee	Polis	Visclosky
Lofgren	Rice (NY)	Wasserman	Davidson	Lamborn	Sinema	Levin	Price (NC)	Walz
Lowenthal	Richmond	Schultz	Davis, Rodney	Lance	Smith (MO)	Lewis (GA)	Quigley	Wasserman
Lowey	Rosen	Waters, Maxine	Denham	Latta	Smith (NE)	Lieu, Ted	Raskin	Schultz
Lujan Grisham,	Roybal-Allard	Watson Coleman	Dent	Lewis (MN)	Smith (NJ)	Lipinski	Rice (NY)	Waters, Maxine
M.	Ruiz	Welch	DeSantis	LoBiondo	Smith (TX)	Loeb sack	Richmond	Watson Coleman
Luján, Ben Ray	Ruppersberger	Wilson (FL)	DesJarlais	Long	Smucker	Lofgren	Rosen	Welch
Lynch	Rush	Yarmuth	Diaz-Balart	Loudermilk	Stefanik	Lowenthal	Roybal-Allard	Wilson (FL)
			Donovan	Love	Stewart	Lowey	Ruiz	Yarmuth
			Duffy	Lucas	Stivers			
			Luetkemeyer	Marchant	Taylor			
			Duncan (SC)	McCarthy	Tenney			
			Duncan (TN)	McCaul	Thompson (PA)			
			Dunn	McClintock	Thornberry			
			Emmer	McHenry	Tiberi			
			Estes (KS)	McKinley	Tipton			
			Farenthold	McMorris	Trott			
			Faso	Rodgers	Turner			
			Ferguson	McSally	Upton			
			Fitzpatrick	Meadows	Valadao			
			Fleischmann	Meehan	Wagner			
			Flores	Messer	Walberg			
			Fortenberry	Mitchell	Walden			
			Fox	Moolenaar	Walker			
			Frelinghuysen	Mooney (WV)	Walorski			
			Gaetz	Mullin	Walters, Mimi			
			Gallagher	Murphy (PA)	Weber (TX)			
			Garrett	Newhouse	Webster (FL)			
			Gianforte	Noem	Wenstrup			
			Gibbs	Norman	Westerman			
			Gohmert	Nunes	Williams			
			Goodlatte	Olson	Wilson (SC)			
			Gosar	Palazzo	Wittman			
			Gottheimer	Paulsen	Womack			
			Gowdy	Pearce	Woodall			
			Granger	Perry	Yoder			
			Graves (GA)		Yoho			
			Graves (LA)		Young (AK)			
			Griffith		Young (IA)			
			Grothman		Zeldin			
			Guthrie					

## NOT VOTING—10

Brat	Hollingsworth	Scalise
Comstock	Kuster (NH)	Westerman
Cummings	Napolitano	
Graves (MO)	Palmer	

□ 1355

Mr. SEAN PATRICK MALONEY of New York changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRAT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 414.

Mr. WESTERMAN. Mr. Speaker, I was delayed in returning to the floor. If present, I would have voted “yea.”

Stated against:

Ms. KUSTER of New Hampshire. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 414.

The SPEAKER pro tempore. The question is on the resolution.

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

## RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 192, not voting 9, as follows:

[Roll No. 415]

AYES—232

Abraham	Babin	Barton
Aderholt	Bacon	Bergman
Allen	Banks (IN)	Biggs
Amodei	Barletta	Bilirakis
Arrington	Barr	Bishop (MI)

Adams	Castor (FL)	DeLauro
Aguilar	Castro (TX)	DelBene
Amash	Chu, Judy	Demings
Barragán	Cicilline	DeSaulnier
Bass	Clark (MA)	Deutch
Beatty	Clarke (NY)	Dingell
Bera	Clay	Doggett
Beyer	Cleaver	Doyle, Michael
Bishop (GA)	Clyburn	F.
Blumenauer	Cohen	Ellison
Blunt Rochester	Connolly	Engel
Bonamici	Conyers	Eshoo
Boyle, Brendan	Cooper	Espallat
F.	Correa	Esty (CT)
Brady (PA)	Costa	Evans
Brown (MD)	Courtney	Foster
Brownley (CA)	Crist	Frankel (FL)
Bustos	Crowley	Fudge
Butterfield	Cuellar	Gabbard
Capuano	Davis (CA)	Gallego
Carbajal	Davis, Danny	Garamendi
Cardenas	DeFazio	Gomez
Carson (IN)	DeGette	Gonzalez (TX)
Cartwright	Delaney	Green, Al

## NOES—192

DeLauro	Green, Al
DelBene	
Demings	
DeSaulnier	
Deutch	
Dingell	
Doggett	
Doyle, Michael	
F.	
Ellison	
Engel	
Eshoo	
Espallat	
Esty (CT)	
Evans	
Foster	
Frankel (FL)	
Fudge	
Gabbard	
Gallego	
Garamendi	
Gomez	
Gonzalez (TX)	
Green, Al	

## NOT VOTING—9

Cummings	Hollingsworth	Nolan
Franks (AZ)	MacArthur	Palmer
Graves (MO)	Napolitano	Scalise

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1402

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FRANKS of Arizona. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 415.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 414 and No. 415 due to my spouse's health situation in California. Had I been present, I would have voted “nay” on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3219. I would have also voted “nay” on H. Res. 473—Rule providing for consideration of H.R. 3219—“Make America Secure Appropriations Act, 2018.”

# PERMISSION TO MODIFY INSTRUCTIONS IN AMENDMENT NOS. 60, 61, AND 66 PRINTED IN HOUSE REPORT 115-259

Mr. COLE. Mr. Speaker, I ask unanimous consent that the instructions in each of the amendments numbered 60, 61, and 66 printed in House Report 115-259 be modified by striking “the division” and inserting “division D”.

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